

[Mr. Speaker]

discussion. I am not giving any ruling which will be binding.

**Dr. Rama Rao:** I want to make a submission on the admissibility of the adjournment motion.

**Mr. Speaker:** I said it is unnecessary now. I am not ruling it out. I am only not admitting it. I only want it to be clear, so that it may not be argued later that the implication of my declining to give my consent at this stage is that the motion was admissible, but I did not allow discussion on other grounds. So I have practically reserved that point for hon. Members to argue if and when an occasion arises.

We will now proceed with the further business of the House.

#### GOVERNMENT PREMISES (EVICTION) AMENDMENT BILL

**The Minister of Works, Housing and Supply (Sardar Swaran Singh):** I beg to move:

"That the Bill further to amend the Government Premises (Eviction) Act, 1950, be taken into consideration."

**Shri K. K. Basu (Diamand Harbour):** Let the House be adjourned for some time.

**Mr. Speaker:** It is not a good precedent to adjourn the House. The best course is for Members to walk away very slowly and without making any noise.

**Sardar Swaran Singh:** Sir, this Bill seeks to amend the Government Premises (Eviction) Act, 1950. The object is two-fold. Firstly, it seeks to amend the definition of "premises" so as to cover not only the lands belonging to the Delhi Improvement Trust but also the buildings owned by the Delhi Improvement Trust. Secondly, it seeks to authorise the eviction of persons who continue to

be in occupation of the premises allotted to them even after the due determination thereof.

So far as the second amendment is concerned, it has been necessitated by the fact that recently in a case decided by the High Court of Bombay it was held that sub-section (1) of section 3 of the Act does not authorise the eviction of a person who continues to be in occupation of the premises allotted to him even after the due determination of allotment, because he was not a person in unauthorised occupation of the premises within the meaning of clause (b) of the said sub-section. The intention of the section had always been that such persons should be deemed to be in unauthorised occupation of the premises.

**Shri S. S. More (Sholapur):** What is that case?

**Sardar Swaran Singh:** The object of the amendment under consideration is to make our intention clear in this respect. I have no intention to put forward any elaborate arguments, in support of it because the person continues to be in unauthorised occupation irrespective of the fact that initially he was in authorised occupation of that premises. Therefore, it is felt that the interpretation which was put on this provision by the Bombay High Court is not in consonance with the intention of the legislature.

So far as the first amendment is concerned, all that I need say at this stage is that the Delhi Improvement Trust owns a number of buildings as also a number of plots of land. The present Act is applicable to plots of land. The intention by making the present amendment is that the buildings which are owned by the Delhi Improvement Trust should also come at par with the premises or the plots which are owned by Government. The Delhi Improvement Trust has been experiencing con-

siderable difficulty in evicting unauthorised occupants and also in recovering arrears of rents and damages in respect of such buildings.

12 Noon.

The type of difficulty which is being experienced by the Delhi Improvement Trust is the same as is experienced by the Government and it is in the fitness of things that there may not be any discrimination on that score, particularly when according to the existing Act lands belonging to the Delhi Improvement Trust are at par with the lands belonging to the Government. There is no reason why there should be any difference with regard to buildings and by this amendment this anomaly is sought to be removed. So far as the rest of the amendments are concerned, they are more or less consequential which flow from these two main points which I have just submitted before the House.

[MR. DEPUTY SPEAKER in the Chair]

Before concluding, I want to point out a small matter a slight mistake which has crept in the Statement of Objects and Reasons. A formal intimation has been sent to the Parliament Secretariat to make that correction. This is in the first paragraph of the Statement of Objects and Reasons, in line 10. The words used there are to this effect: "The Bill, therefore, seeks to amend the definition of 'premises' to cover land also..." Actually it should be "The Bill, therefore, seeks to amend the definition of 'premises' to cover land as well as buildings." This is quite obvious because that is the real object of the amendment and there was a small error which has crept in the Statement of Objects and Reasons. A formal intimation, as I have already said, has been sent to the Parliament Secretariat to make this correction so that there may be no scope for misunderstanding on that ground.

**Mr. Deputy-Speaker:** How does any misunderstanding arise? It is only an amending Bill. In the original Bill 'premises' have been defined to include building. Therefore, 'premises' means any building at par and land also is included. Where is the difficulty?

**Sardar Swaran Singh:** No, Sir. It is stated: "The Bill, therefore, seeks to amend definition of 'premises' to cover land also". Actually it should be to cover buildings. The intention is to extend the scope so that buildings also come under this—buildings belonging to Delhi Improvement Trust. According to the provisions as they now stand, land belonging to the Delhi Improvement Trust is already there. This comes within the definition and by the amendment it is proposed to extend the scope and include buildings also as is clear from the relevant operative portion. This is a small matter because the Statement of Objects and Reasons is only a description of something.....

**Shri S. S. More:** With reference to the pertinent question that you asked, I may say that in the original Act of 1950, 'premises' has been defined: "Premises' means any building or part of the building and includes....." The reference in the Statement of Objects and Reasons is correct and the correction is something wrong.

**Fandit Thakur Das Bhargava (Gurgaon):** The proposed correction is all right. In line 10, the words are: ".....cover land also".....

**Mr. Deputy-Speaker:** This is only an amending Bill. 'Premises' had been defined in the original Act to mean 'any building or part thereof'.....

**Fandit Thakur Das Bhargava:** If you see line 10, the object will be clear. 'Land' is already there....

**Mr. Deputy-Speaker:** 'Buildings' are already there....

**Sardar Swaran Singh:** The position that I have attempted to state is really the correct position because so far as the existing provisions of the statute are concerned, buildings belonging to the Delhi Improvement Trust do not come within the scope of the Act. By this amendment, buildings are sought to be included. Therefore, in the 10th line, the expression should have been such as to define the premises to cover buildings also or to cover land as well as buildings. But, I submit that is not really an operative part and even if there may be a difference of opinion about the exact interpretation to be placed on the Statement of Objects and Reasons, that is neither here nor there; we have to look to the provisions of the Act. But, I thought that I might correct that so that some body may not plead some sort of an estoppel saying that I am not carrying out what is mentioned in this Statement of Objects and Reasons. It was for that reason that I thought I might clarify the position. With these observations, I commend the motion which I have already moved for acceptance by this House.

**Shri M. S. Gurupadaswamy (Mysore):** Before the discussion begins, I want to know the number of cases of unauthorised occupation. Can the hon. Minister tell us?

**Sardar Swaran Singh:** I presume that the query which has been made by the hon. Member relates to the cases of encroachment which would now come within the purview of the Act and which are not, at the moment, covered by the provisions of the Act as it exists at the moment. I may give that figure. In January, 1953, the Delhi State Government reported that about 671 premises belonging to the Delhi Improvement Trust were in unauthorised occupation and damage to the tune of about Rs. 3,83,000 and odd were outstanding from 2075 occupants thereof...

**Shri T. N. Singh (Banaras Dist.-East):** How many occupants?

**Sardar Swaran Singh:** 671 premises which are in unauthorised occupation and dues to the tune of Rs. 3,83,000 and odd outstanding from 2075 occupants.

**Shri S. S. More:** Can we have some information about the cases belonging to the Delhi Improvement Trust? If separate figures for the Delhi Improvement Trust are available, we shall be in a position to see whether there is a case for including the Trust or not.....

**Sardar Swaran Singh:** I thought I gave these figures which my hon. Friend is enquiring, if he had listened with a little more attention. 671 premises belonging to the Delhi Improvement Trust.

**Shri T. N. Singh:** One point more, Sir. Are all these unauthorised occupants in respect of buildings which were said to be acquired by the Trust in 1938 or do they relate to a later period?

**Sardar Swaran Singh:** No, Sir. This is the total number not related to any particular date.

**Shri S. S. More:** May I make an appeal to you? When such measures are introduced on the floor of the House, it is, I think, part of Government's responsibility to convince hon. Members of this House regarding the justness of their case. Dishing out data at the eleventh hour on the floor of the House and then saying that Members have not attentively heard him is rather too much we can stand. Will you lay down as a part of your ruling that whenever such things are piloted on the floor of this House all relevant data should be supplied to the hon. Members previously? If we come unprepared to this House, we are unable to scrutinise the provisions—whether they are legal or ultra vires, etc.—and we vote hastily for such half-digested measures; so the whole reputation of the House is at stake....

**Shri V. P. Nayar** (Chirayinkil): They want us to come unprepared.

**Sardar Swaran Singh:** So far as relevant data is concerned, it has always been the endeavour of the Government, in order to make out a case for acceptance of any legislative measure that is brought about, to place all the relevant data for the information of the hon. Members. It has never been the intention to withhold any data. Some times, it is not possible to judge as to what are the important points on which information is necessary. In the present case, as soon as it had been pointed out that it is a relevant matter, I did not take any time to supply that information. Therefore, I do not know what is the point of grievance really? There need not be any ruling because we accept the position.

**Mr. Deputy-Speaker:** So far as this matter is concerned, I might inform the House that when the amendment on Tariff Bill was sponsored and brought before the House, the previous recommendations of the Tariff Commission and other relevant matters were asked to be furnished to the Members of this House. So far as Bills of this nature are concerned where many figures are not involved, or the hon. Minister, of his own accord, when he introduces his motion for consideration, gives the relevant figures and as I have also allowed hon. Members now to elicit some more information, I think, it is all right. In all matters where complicated questions of facts and figures have to be looked into laboriously by the hon. Members before they can make a good contribution to the debate, certainly the Chair—even without the Chair asking for it, the hon. Ministers themselves—will furnish it so as to have proper attention bestowed upon the points. So far as this Bill is concerned it is such a small affair, and if the hon. Member had heard when the hon. Minister was giving the figures he would not have put the question. There is no harm if

occasionally hon. Members do not hear, they may put questions.

**Shri S. S. More:** Some of us are of somewhat slow understanding.

**Mr. Deputy-Speaker:** There is no question of understanding; they are looking this side and that side.

I shall place the motion before the House. There is another motion for reference to the Select Committee.

Motion moved:

“That the Bill further to amend the Government Premises (Eviction) Act, 1950, be taken into consideration.

Is the hon. Member, Lala Achint Ram, desirous of making a motion for reference of the Bill to a Select Committee?

**Pandit Thakur Das Bhargava:** I propose to make a motion for reference to Select Committee.

**Mr. Deputy-Speaker:** Yes, any of the hon. Members in whose names the motion stands can do so.

**Shri Gidwani** (Thana): I understand that Government is accepting the motion.

**Pandit Thakur Das Bhargava:** The motion has not yet been moved. The motion should be allowed to be moved before any remarks follow.

**Shri M. S. Gurupadaswamy:** We learn that Government itself is coming forward with a motion for reference to Select Committee.

**Pandit Thakur Das Bhargava:** There is no motion on behalf of Government for reference to Select Committee. The only motion is in my name.

**Mr. Deputy Speaker:** Hon. Members have the Order Paper before them.

**Pandit Thakur Das Bhargava:** I beg to move:

"That the Bill be referred to a Select Committee consisting of...

**Mr. Deputy Speaker:** The hon. Member must have given a list.

**Pandit Thakur Das Bhargava:** I have a list.

**Mr. Deputy-Speaker:** And has he taken care to ascertain that the hon. Members whose names he is giving are willing to serve on the Select Committee?

**Pandit Thakur Das Bhargava:** I have asked some of them, and others, I presume, will not object.

**Mr. Deputy-Speaker:** If the hon. Members concerned are not in a mood to object I shall accept it as their tacit concurrence. But it ought not to be the convention. I expect all hon. Members who have given notice of motions for reference to Select Committee to give the names in advance so that the Chair may have a copy; and the consent of all the Members proposed must have been obtained and not merely be presumed.

**Shri V. P. Nayar:** Let us hear the names.

**Pandit Thakur Das Bhargava:** I beg to move:

"That the Bill be referred to a Select Committee consisting of Shrimati Subhadra Joshi, Shri Radha Raman, Shri C. Krishnan Nair, Sardar Hukam Singh, Shri Choithram Partabrai Gidwani, Lala Achint Ram, Sardar Swaran Singh, Shri Maneklal Maganlal Gandhi, Rajkumari Amrit Kaur, Shri Girraj Saran Singh, Shrimati Renu Chakravartty, Shri K. S. Raghavachari, Shri Rohini Kumar Chaudhuri, and the Mover with instructions to report by the 5th December, 1954."

**Shrimati Renu Chakravartty (Basirhat):** I have already intimated that unless we have another person from our party I will not be able

to serve on the Committee as I shall not be here most of the time.

**Pandit Thakur Das Bhargava:** Then we can have the name of some other gentleman, Shri Pataskar.

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** You suggest some name.

**Shrimati Renu Chakravartty:** I suggest the name of Shri Nambiar, in addition.

**Mr. Deputy-Speaker:** Is the Committee to report by the 15th December, or the 5th December?

**पीडित ठाकुर दास भार्गव :** 5th December. I am anxious that the Bill may come before the House this very Session.

जनाब वाला, इस बिल के बारे में...

**श्री एस० एस० मोर :** हिन्दी में नहीं अंग्रेजी में बोलिए ।

**पीडित ठाकुर दास भार्गव :** इस सदन की जवान सिर्फ अंग्रेजी नहीं हैं। बहुत से लोग चाहते हैं कि मैं हिन्दी में बोलूँ। इस वास्तु में हिन्दी में ही बोलूँगा ।

मैं हाउस से माफी चाहूँगा अगर मैं इस बिल के बारे में थोड़ी सी हिस्ट्री बयान कर दूँ क्योंकि इस हिस्ट्री के बयान किए बगैरे इस बिल का असल मकसद और इस पर जो एतसजात हैं, जिनको मैं चाहता हूँ कि सिलेक्ट कमेटी में दूर कर दिया जाए, वह समझ में आने मुश्किल होंगे ।

सन १९४७ में जब कि दिल्ली में पार्टिशन की वजह से बड़ा सल्ल एग्जाइडस हुआ और लाखों आदमी दिल्ली में आ गए तो गवर्नमेंट ने यह महसूस किया कि यहाँ पर गवर्नमेंट के हाथों में काफी एकोमोडेशन नहीं है और इस वजह से गवर्नमेंट ने चाहा कि दिल्ली में इस गरज के लिए कुछ मकानाल रिक्वीजिशन कर लिए जाएँ और इसके लिए एक्ट ४६ सन् ४७ पास किया गया। इस एक्ट में रिक्वीजिशन के

मुस्तालिफ पहलुओं को रखा गया और यह एक्ट सिर्फ दो बरस के लिए पास किया गया। इसके बाद यह एक्ट आयन्दा अमेंड होना रहा और इसकी मियाद बढ़ाई जाती रही।

इसके बाद एक बिल सन् १९५० में, २७ सन् ५०, इस हाउस में लाया गया जो कि गवर्नमेंट प्रीमिसेज के मुताल्लिक था। इसको आनरीबल सरदार बलदेव सिंह ने पेश किया और यह मिलिटरी के मुताल्लिक रिक्वीजिशन एक्वीजिशन और इन्वैक्शन के बार् में था। इसके अन्दर यह तजवीज की गई थी कि खास हालात में गवर्नमेंट बार् कोर्ट में गए हुए लोगों को इन्वैक्ट कर सकें और उन से डेमेंजेज वसूल कर सकें।

इसके बाद एक तीसरा बिल आया जो कि ५६ सन् ५१ था। इस बिल के लिए सिलेक्ट कमेटी मुकर्रर की गई और सिलेक्ट कमेटी ने असें दराज तक, नौ दस महीने तक, इसके मुस्तालिफ पहलुओं पर भी किया। इसका नतीजा यह हुआ कि रिफ्यूजीज के मुताल्लिक क्लेम में कुछ एर्योरसेज दिए गए। उनको पैसल के प्रावीजेन्स में तो इनकारपोर्ट नहीं किया गया लेकिन यह कहा गया कि इन पर खर्च अमल किया जाएगा।

इसके बाद फिर एक नया एक्ट आया, २० सन् ५२, जिसको मरहम आनरीबल श्री बुरागीहिन ने पेश किया जो कि रिक्वीजिशन एंड एक्वीजिशन ऑफ इम्पेविल प्रापर्टी फार् दी परपोजेज ऑफ यूनिशन की गराज से लाया गया था। वह कानून बन गया और साथ ही उसमें एक एंसी बात कर दी गई जिसका कि हम लोगों को उस वक्त गुमान भी न था कि इतना खराब असर होगा जैसा कि बाद को हुआ। इस एक्ट में एक दफा २५ जोड़ दी गई। इसकी रू से एक्ट ५६ सन् ५१ और एक्ट ४६ सन् ४७ जिसमें पबलिक प्रीमिसेज के मुताल्लिक प्रावीजेन्स थे उनको रिपील कर दिया गया। इस दफा २५ में पहले दोनों एक्टों में जो पास हुआ था उसको बहुत कुछ ज्यादा करके पास कर दिया गया। लेकिन उस वक्त आनरीबल मिनिस्टर श्री बुरागीहिन ने अपनी स्पीच में

बहुत साफ तौर पर कहा था कि जो एर्योरसेज एक्ट ५६ सन् ५१ के मुताल्लिक दिए गए थे वे सब के सब कायम रहेंगे और उसी स्पिरिट में काम किया जाएगा जिस स्पिरिट में वे दिए गए थे।

एक्ट नम्बर २७ सन् ५० के बाद एक्ट नम्बर २० सन् ५२ ही हैं जिसके जरिए एक्ट नम्बर २७ सन् ५० में तरमीम की गई थी और एक्ट नम्बर २० सन् ५२ को फरदर एमेंड करने के वास्ते यह प्रजेन्ट मेजर लाया जा रहा है।

मैं शुरू में ही एक बात साफ कर देना चाहता हूँ ताकि बाद में कोई किसी किस्म का मुगालत न रहे। इतिफाक से आज हमारा पुराने मिनिस्टर श्री गाडगील और सरदार स्वर्ण सिंह एक ही बेंच पर बैठे हैं और यह खुशकिस्मती की बात है। मेरा ट्रिब्यूट दोनों साहबान को एक साथ है। मुझे इस हाउस के अन्दर अभी कोई एंसा मिनिस्टर दूढ़ना बाकी है जो रिफ्यूजीज की तरफ या जनरल क्वेरेशन्स आफ दी कंट्री की तरफ ज्यादा सिम्पैथेटिक हो, जो गाडगील साहब से ज्यादा हमदर्द हो। गाडगील साहब ने जब एक्ट नम्बर ५६ सन् ५१ को यहां पास कराया उस वक्त जो खयालात जाहिर किए वह सुनहर लफ्जों में लिखने के काबिल थे और मैं उनको हाउस के सामने रिपीट करके भी बतलाऊंगा कि उनकी क्या मंशा थी। इसके बाद सरदार स्वर्ण सिंह भी तशरीफ लाए। मुझे यह कहने में जरा भी ताम्मुल नहीं कि गाडगील साहब के इस मिनिस्ट्री के छोड़ने से हमें बहुत लॉस हुआ लेकिन यह हमारी एंन-खुशकिस्मती थी कि उनकी जगह सरदार स्वर्ण सिंह आए और उन्होंने पुरानी रवायात को ही जारी नहीं रखा बल्कि उनको चार चांद लगा दिए। जब मौका हुआ और हम सरदार साहब की सिद्दमत में हाजिर हुए और उनको बतलाया कि यह एर्योरसेज हैं तो जो कुछ उनके अख्तियार में था उनमें उन्होंने हमारी मदद करने की कोशिश की। इसलिए मैं यह बात वाजें कर देना चाहता हूँ कि आयन्दा जो कुछ क्लिटीसेज में करुंगा वह इन दोनों मिनिस्टर साहबान के खिलाफ नहीं है, उनको

[प्रीटच ठाकुर दास भार्गव]

खिलाफ यह क्रिटीसिजम न समझा जाए। मैं यहाँ पर यह साफ कर देना चाहता हूँ कि मिनिस्टर चाहे कितने ही नकमीयत हों और कितनी ही हमारा साथ हमदर्दी हो लेकिन जब एक्जुअल इम्प्लीमेंटेशन का वक्त आता है तो हम सारी पोजिशन दिगारद पाते हैं; हम दुखते हैं कि जिनके हाथ में उन वायदों का अमल करना होता है वह उन सार इकारों को खरबाद कह देते हैं और यहाँ पर भी यही हुआ और उन इकारों की कोई परवाह नहीं की गई और यह इसी का नतीजा है कि गाडगील साहब ने अपने जमाने में जो प्रामिसेज किए थे आज उनको "गलगल प्रामिस" के नाम से याद किया जाता है। सार हाउस की तरफ से वह वायद किए गए थे। हमने साल आठ महीने इंतज़ार करे बड़ी कामि-शक्ती से काम किया था उम्मीद पर पानी फिर बहा और उन वायदों और इकारों को जिन पर अमल करने की जिम्मेदारी थी उन्होंने उनको नजरअंदाज किया और ऐसा करके उन्होंने इस हाउस की बेइज्जती की और मिनिस्टर साहब के उन प्रामिसेज और वायदों को अमल में न ला कर एक तरह से गवर्नमेंट को कंट्रैक्ट में लाए हैं। मैं जानता हूँ कि इन अफ्फाज के क्या मानी हैं और वह काफी सख्त हैं, लेकिन यह अमु-वाक्या है जो मैं ने आपके सामने बयान किया। मैं यह नहीं चाहता कि यह हाउस एक चीज पास करे और एंशोरमेंट दे और फिर उन वायदों के साथ यह सलूक हो जो इनके बारे में किया गया है। किस तरह उन प्रामिसेज पर अमल किया गया और अमल में क्या फर्क रहा, उसकी हिस्ट्री मैं फिर बतलाऊंगा। आज तक किसी रिफ्यूजी को यह मालूम नहीं कि कौन-सा सरकार का मुहकमा उसकी किस्मत का मातक है। जब हम रिहैबिलिटेशन मिनिस्टर श्री ब्रैन के पास जाते हैं तो वह हमेशा यही फरमाते हैं कि हम इन वायदों के पाबन्द हैं, सरदार स्वर्ण सिंह की सिद्धमत में जाते हैं तो उन्होंने भी यही कहा कि हम वायदों के पाबन्द हैं, जहाँ-कहीं भी हम गए हमने यही सुना, कहीं हमको यह बचाव नहीं मिला कि यह वायद काबिल

पाबन्दी नहीं हैं लेकिन यह वाक्या है कि पूरी मिट्टी पलीद इन वायदों की की गई है। जिस वक्त बिल नम्बर ५६ सन् ५९ का आया मैं आपको बतलाऊँ कि उस पर काफी बहस रही, इस हाउस में तीन दिन तक बराबर बहस जारी रही और इस बिल को मौजूदा सूरत में मंजूर न करने को कहा गया। आज जब फिर यह बिल लाया गया है तो मुझे उस मौकों की याद आ जाती है और तब मैं और आज मैं थोड़ी सिमिलैरिटी भी है। जिस तरह उस वक्त गाडगील साहब ने यह बिल पेश करते समय कहा था कि यह बिल बड़ा सिम्पल है और उम्मीद जाहिर की थी कि वह बड़ी आसानी से पास हो जाएगा, ठीक उसी तरह आज इस तरमीमी बिल को पेश करते हुए हमारा सरदार साहब फरमाते हैं कि यह दो क्लॉज का बिल है, बड़ा ही सीधा सादा है और इसके अन्दर प्रीसिपन्स इनवॉल्व नहीं हैं। उनकी उस रीजनिंग को कट करना मुश्किल है क्योंकि रीजनिंग उनकी बहुत साफ है लेकिन मैं उनको बतलाना चाहता हूँ कि जिस तरह इस पर पहले दो तीन दिन तक बहस हुई वह आज भी हो सकती है और वह दो दिन में खत्म नहीं होगी। अब इसके अन्दर जो कुछ हुआ वह मैं आपको सुनाना चाहता हूँ।

हमने एक्ट नम्बर ५६ सन् ५९ की रू से यह एंशोरमेंट दिया था कि जिन अरखास ने पार्टीशन में लुट पीट कर और बर्बाद हो कर दिल्ली के अन्दर आ कर शरण ली हुई है और जिन लोगों ने गवर्नमेंट की इमदाद से डिप्टी कमिश्नर के हुकम से, श्री मोहनलाल सक्सेना के सिम्प-थेटिक हार्ट के दिए हुये हुकम से, जिन्होंने मकान बना लिए थे उनको उन मकानों से बेदखल नहीं किया जाएगा और अगर जरूरत पड़ी बेदखल करने की, अगर उनका आकूपेशन किसी कानून के मुताबिक बरखिलाफ हुआ था उनके मकान किसी हींसियत से किसी स्कीम के बरखिलाफ हुए तो उस सूरत में क्या किया जाएगा ? दो बातें की जाएंगी। एक तो उन को आस्टर्नटब एकोमोडेशन दी जाएगी। इन्हें

को अलावा उनको कम्पेन्सेशन दिया जाएगा उन मकानों का जो गिराए जाएंगे ।

जो मकान कायम रखे जाएंगे उनकी जमीन की कीमत नो प्रॉफिट नो लॉस बेसिस पर एसेस करके उनसे ईजी इंस्टालमेंट्स में ली जाएगी । इतना ही नहीं जो प्राइवेट जमीनों थीं उनके वास्ते गाहगील साहब ने तय कर दिया कि उनके वास्ते भी गवर्नमेंट एंसी कोशिश करेगी ताकि रीरफ्यूजीज को एंसी जगहों से बाहर न निकाला जाए और कोई राजीनामा कर लिया जाए । अगर उनको वहां से बंदखल करके दूसरी जगह मकान दिया जाए तो इस बात का ध्यान रखा जाए कि वह जगह उनके गेनफुल इम्प्लायमेंट के नजदीक हो । यह और दूसरे एंशयोरमेंट्स जो हाउस में दिए गए थे, मैं उन्हें पढ़ कर सुनाना नहीं चाहता लेकिन साध ही मैं इस टैम्पटेशन से अपने को बाज नहीं रख सकता कि जो खास वायवर् आखिरी पैदान किए गए थे वह मैं हाउस को पढ़ कर न सुनाऊं । जिस वक्त यह बिल पास हुआ हम जल्दी में थे और हम चाहते थे कि वह फॉरन पास हो जाए । हमने कोई स्पेशल नहीं कीं और हमने जो कुछ सिलेक्ट कमेटी के वक्त कहा था उसको भी दुहराने की कोशिश नहीं की बल्कि उस सब को भुला कर उन सारे उस्ताओं को भुला कर महज आनरीबल मिनिस्टर ने जो उस समय एंशयोरमेंट्स दिए उन पर विश्वास करके हम ने सारी बहस को खत्म कर दिया और वह बिल उस बहस के बाद पास हो गया । उस मौके पर जो श्री गाहगील साहब ने फरमाया और जो मैं ने अर्ज किया और जो लाला अर्चित राम ने अर्ज किया वह सब कुछ हाउस के सामने हैं और हाउस को उस पर थोड़ी सी तबज्जह देनी चाहिए । उस वक्त मैं ने गवर्नमेंट से अर्ज किया कि मैं जबानी एंशयोरमेंट्स नहीं मानता हूं, आप गार्डिंग में उनको रोक्यूस करके उनको पढ़ कर सुना दीजिए और वह सब के सब पढ़ कर सुनाए और उन्होंने यह भी फरमाया कि वह जो एंशयोरमेंट्स मैं देता हूं तो मैं कोई ऐसा आदमी नहीं हूं जो अपने वायदाओं से पीछे हट जाऊं और मैं बर्लंगा कि वह पूरे किए जाते हैं । मैंने उन से उस वक्त कहा भी था कि सितम्बर आ गया

हैं, आप महाराष्ट्र तस्वीर ले जाएंगे, इलवशन होने वाले हैं और नतीजा यह होगा कि सारी कमेटी तितर बितर हो जाएगी और यह जो हम प्राबलम हल करना चाहते हैं यह सब मामला खत्म हो जाएगा । आनरीबल मिनिस्टर साहब ने एक उस्ता कायम किया था और जो शरणाधिकियों के वास्ते बहुत फायदमंद साबित हुआ और वह यह था कि किसी भी रीरफ्यूजी को उस की मौजूदा रिहायश से बंदखल नहीं किया जाएगा जब तक कि उसके वास्ते कोई आल्टर्नेटिव एकोमोडेशन न प्रोवाइड कर दी जाए और इसी उस्ता के मातहत रीरफ्यूजीज को राष्ट्रपति भवन के लॉस में जगह दी गई और अस्पतालों और स्कूलों वगैरह में गवर्नमेंट की तरफ से उनको जगह दी गई लेकिन बाद में हमने देखा कि इस उस्ता के मुताबिक अमल नहीं हुआ और गवर्नमेंट, इम्प्रूवमेंट ट्रस्ट और दूसरी जम्हारिटीज ने उसको वायलेट किया और उन बेचारे मुसीबतजदा लोगों को शहर से आठ, आठ मील के फासले पर लारियों में ले जा कर खाली जमीन पर छोड़ दिया और कह दिया कि यह तुम्हारी आल्टर्नेटिव एकोमोडेशन है । रात को ग्यारह बजे मय उनकी बिलौंगिंग्स के उन लोगों को जंगल में छोड़ दिया गया । यह कार्यवाही की गई और मैंने उस तरफ तबज्जह दिलाई कि यह कोई आल्टर्नेटिव एकोमोडेशन नहीं है । जल्दत इस बात की थी कि आप उनके जल्म पर मरहम लगाते न कि उलट नमकपाशी करे और जब तक हमारे अन्दर वह स्मिट नहीं आयेगी हम इस मसले को हल नहीं कर सकेंगे । चुनांचे श्री गाहगील ने फरमाया भी था कि मैं और मेरी मिनिस्ट्री का एक एक फर्द उन उस्ताओं के मुताबिक काम करेंगे जो उस्ता मैंने बचाने किए हैं और इसीलिए किसी को कोई तकलीफ नहीं होगी । चुनांचे यह मामला खत्म हुआ और यह भी सुझाविसमती की बात थी कि गाहगील साहब के जाने के बाद एंशयोरमेंट्स सरदार स्वर्ण सिंह के काबिल हाथों में सुपुर्द कर दिया गया ।

मुझ को इसी बात का डर था कि श्री गाहगील और यह मिनिस्ट्री आल्ट आफ़ न पिचवर न



[पीठत ठाकुर दास भार्गव]

हो जाए जब काम करने का वक्त आए। मैं सरदार साहब की सिद्धमंत में गया और अर्ज किया कि आप एक मीटिंग बुलाइए। मीटिंग बुलाई गई। दिल्ली के अफसर व मिनिस्टर भी उस में आए और उन्होंने कहा कि हम दिए गए एंशयोरसंज पर कायम रहेंगे और उनका पूरा करेंगे। लेकिन उसके बाद क्या किया गया? मरें पास फेहरिस्त मौजूद हैं उन घरों की और बहुत से ऐसे घरों की जो कि पक्के थे और जो पहले इस एंशयोरसंज की तारीफ में आते थे और जो गिरा दिए गए, जबर्दस्ती गिरा दिए गए और बड़ी बेदरती से गिराए गए। किसी ने यह नहीं सोचा कि यह लोग मुसीबतजदा हैं और मुसीबतजदा होने के अलावा वह इन एंशयोरसंज से प्रॉटेक्टड हैं। मैं वह लिस्ट हाउस के सामने पढ़ कर नहीं सुनाना चाहता, वह बहुत लम्बी लिस्ट हो जाएगी, लेकिन बहुत मुस्तसस अर्ज करता हूँ कि इस का कितना खराब असर यहां पर हुआ है। वह मकानात जो गिराए गए पर्टल नगर में २,५१,५०० रुपए की मालियत के थे, फौज रोड में २,५६,५०० रुपए की मालियत के थे, फौज रोड में मैं एक लाख रुपए की मालियत के थे। इस तरह से कुल मिला कर ५,५२,००० रुपए की प्रापर्टी गिरा कर जमीन के बराबर कर दी गई। साथ में उन लोगों को न कोई कम्पेंसेशन दिया गया और न कोई आल्टर्नेटिव एंकोमोडेशन ही दी गई जिस का वादा किया गया था। इसके अलावा आज जितने मकानात डिमांडेशन की थ्रूट के अन्दर हैं उनकी कीमत ११,७६,००० रुपए हैं। १८ मकान फौज रोड, पूसा रोड लेन में ६ मकान, फौज रोड में और २२ मकान, हरध्यान रोड में ६ मकान, एंडज्वाइनिंग फौज रोड २२ मकान और आहाता किवारा में २२८ मकान। मैं अदब से अर्ज करना चाहता हूँ कि इन मकानों की एक एक इंट गवर्नमेंट के दिए हुए एंशयोरसंज से पवित्र व पक्की कर दी गई थी, एक एक इंट को नहीं गिराया जाना चाहिए था, जब कि वह पूरे के पूरे मकानात गिरा दिए गए। एग्रेस को मालूम है कि किन्ना हासत में बिल पम्ब किया गया था और किस तरह से एंशयो-

रन्संज दिए गए थे। मैं उन को बाई में दोहराना चाहूंगा, इस बचह से कि हम जानते थे कि गवर्नमेंट ने खुद हुकम दिया है और उनकी पूरी तौर से तामील होगी। डिप्टी कमिश्नर ने हुकम दिया कि उन मकानों को कम्प्लीट करने दिया जाए, श्री मोहन लाल सक्सेना ने पहले हुकम दिया कि उन मकानों को तीन साल के लिए कायम रखा जाए बाद में यह किया गया कि उन को सदा के वास्तु कायम रखा जाए। लेकिन उन एंशयोरसंज की किसी ने परवाह नहीं की। आप सुन कर हैरान होंगे कि जिसका नाम आल्टर्नेटिव एंकोमोडेशन दिया गया था वह क्या था। घात, आठ मील के फासले पर १०० गज का एक टुकड़ा और उसके ऊपर मकान बनाने के वास्तु ४०० रुपया मंजूर किया गया। उसके बाद क्या हुआ। मरें हाथों में नॉटिस मौजूद हैं जिस की रू से कहा गया कि जो ४०० रुपया दिया गया था और जमीन का १०० गज का जो टुकड़ा था हाउस के वास्तु उसकी कीमत को वसूल किया जाए और वह वसूल किया जा रहा है उन लोगों से। गर्जे कि वह आल्टर्नेटिव एंकोमोडेशन नहीं थी। लेकिन लफज यह थे कि पहले आल्टर्नेटिव एंकोमोडेशन दी जाएगी फिर मकानों से उन् लोगों को निकाला जाएगा। आप मकान से बेदखल कर के किसी आदमी से कहे कि जंगल में मकान बना लो, उसके बाल बच्चों को बेघर कर के उस से कहे कि जाकर जंगल में मकान बनाए तो कैसे काम चल सकता है। मुझे पता नहीं कि जो एंशयोरसंज दिए गए थे उनकी किस कदर कम्प्लायन्स हुई। कुछ केंसंज मैं जानता हूँ और उन लोगों के लिसे स्टेटमेंट मरें हाथ में मौजूद हैं जिन में से किसी का मकान दो हजार रुपए का था, किसी का तीन हजार का था, किसी का १५ हजार का था। एक मकान तो ४० हजार रुपए का था यहां पर, जिस को बेदरती से गिराया गया। अगर चाहते तो बड़ी आसानी से इस बात का रास्ता पाया जा सकता था कि वह मकान कायम रहे, लेकिन कायम रखने की किसी को जरूरत नहीं है। मैं फिर भी खरखाह स्वर्ण सिद्ध की शारी करवा हूँ बिन्दानों से

दुर्वास्त पर कोशिश की कि इन मकानों को बंजा तौर पर गिराया जाए, लेकिन उनके अहकाम की कोई परवाह नहीं की गई। अजीब बात है कि गवर्नमेंट की एक मिनिस्ट्री दूसरी मिनिस्ट्री की बात को सेंट एट नाट कर देती है। एक मिनिस्ट्री पछती है कि किस अस्तयार के मातहत तुम मकान गिराते हो तो दूसरी मिनिस्ट्री कहती है कि जा कर उन मकानों को जमीन से मिला दो। इस तरह की कार्यवाही की गई। मैं पछता चाहता हूँ कि यह कौन सा तरीका है कि इस तरह से अफसरों को अस्तयार दे दिया जाए कि लोगों के मकानात को गिरा दें, लोगों को जलील करें और उन को वकलीक पहुँचाएँ। मैं अदब से अर्ब कहूँगा कि मेरा तजुर्बा यह कहता है कि मैं ऐसे अस्तयार किसी को भी देने के लिए तैयार न होऊँ, यहां तक कि अपनी गवर्नमेंट को भी देने को तैयार न होऊँ, हालाँकि मैं जानता हूँ कि मेरी गवर्नमेंट उनका भिस खूब नहीं करेगी। जिस वकत इस कानून का सिलेक्ट कमेटी को रिफरेंस हुआ था उस वकत मैं ने अर्ब किया था कि मैं नहीं चाहता कि वही शरूस रिपोर्ट करे वही पुलिसमैन हो और वही असंसार या जज हो अपने कंस में। लेकिन उस वकत इमर्जेंसी थी और मैं जानता हूँ कि हमारी गवर्नमेंट का जहां तक ताल्लुक है वह इस किस्म का रबैया कभी नहीं अस्तयार करेगी जो कि लोगों के खिलाफ हो। इसीलिए मैं ने जो एग्जेंड-मेंट दिया है उन में मैं ने गवर्नमेंट प्रीमिसेज के मुताल्लिक एक लफज भी नहीं कहा है। मुझे उसके खिलाफ कोई शिकायत नहीं है। मेरी शिकायत उन लोगों के खिलाफ है जिन्होंने कि इस हाउस में दिए हुए एंशोरेंसों की कोई परवाह नहीं की और इस हाउस को और हम सब को पीब्लिक की निगाह में और इंसोफ की निगाह में जलील कर दिया।

जनाब बाला, एक मौका था जब यह कहा गया था कि उन को जमीनें दी जाएंगी और इसके लिए तिला गया था कि वह 'नो लास नो प्राफिट थ्रीब्स' पर दी जाएंगी और उन की कीमत जैसी इन्स्टालमेंट्स में बसूल की जाएगी। एक

बार में पास कुछ लोग आए कि हम को जमीन दी जाने वाली है। मैं ने उन से कहा कि तुम अपने मकान के नीचे जा जमीन है उसके मुआवजे के वास्ते रमया जमा करो और जमीन की कीमत भी इकट्ठी करो। चुनांचे उन्होंने ५२ हजार रुपए जमा कर के उसका चेक मेरे पास भेजा। मैं ने आनररीबल मिनिस्टर साहब दिल्ली स्टेट से कहा कि यह रमया मेरे पास मौजूद है और इन लोगों को जमीन दे दी जाए। इस पर उन लोगों से मार्केट वैल्यू लेने की कोशिश की गई। वह देने को भी राजी हुए, लेकिन उनको जमीनें नहीं दी गई। सिर्फ एक जगह एसी है जिस में इक्वोर किया गया है २०, २५ आदीमियों से कि तुम लोगों को मकान दे दिए जाएंगे। मुझे नहीं मालूम कि वह वादा कब पूरा होगा, या होगा भी या नहीं। जिस वकत यह एंशोरेंस दिया गया था उस वकत उसल था, और बह उसल कोई मेरे घर का नहीं था, बल्कि सब कोई उस को मानता था। जिस वकत सिलेक्ट कमेटी बनी, उस वकत मैंने अर्ब किया कि मैं चाहता हूँ कि हर एक आदीमी अपने घर का मालिक हो। आज आनरबुल मिनिस्टर साहब ने भी एक नई स्कीम निकाली है मिडल क्लास के लोगों के हाउसज के लिए। यह स्कीम सारं देश के लिए निकाली गई है, जिसका मैं खैरमकदम करता हूँ और सारं देश में जिस ने खुशी की लहर दौड़ा दी है कि इस बात को गवर्नमेंट चाहती है कि लोग अपने मकानों के अन्दर रहें और वह ५,००० रुपए तक के लिए कर्जा देना चाहती है। इधर तो यह हो रहा है और उधर जा बनी हुई एंकोमोडेशन है जिस के वास्ते गवर्नमेंट ने एंशोरेंस दिया था, उसको बेददी से गिराया जाता है, जिसके अन्दर किसी का फायदा नहीं है। जैसे और सब नैशनल लास हुआ करते हैं उसी तरह से यह भी अव्वल दुर्जे का नैशनल लास है। वह सब के सब मुजरिम हैं जो इस तरह से जा कर मकानों को गिराते हैं। मैं जानता हूँ कि इन गरीबों की कहीं दाद फीरबाद नहीं है। वह एक मिनिस्टर के पास से दूसरे मिनिस्टर के पास भागतें फिरते हैं, लेकिन उन को कोई रितीक नहीं मिलता। इनके साथ

[पीडित ठाकुर दास भार्गव]

अफसरान ने मर्ठू वार्ड किए कि तुम घबराओ नहीं हम तुम्हारे मकान को नहीं गिराएंगे, लेकिन वादा करने के दूसरे ही दिन उनके पास डेम्बेज का नोटिस पहुँचता है। यह अमर वाक्या है कि उन लोगों के साथ बेजा सस्ती की गई है। इस हाउस ने एक एर्योरंस कमेटी बना रखी है। मैं उम्मीद करता हूँ कि यह एर्योरंस कमेटी उन लोगों के इस मामले में जाएगी और उनको इन्साफ दूँगी।

आज जो मेरी दरवास्त है वह यही है कि आप का जो मौजूदा एक्ट है, आनरबुल मिनिस्टर साहब ने इमानदारी के साथ उस एक्ट को मंजूर किया है, इसी वास्ते मैं ने हिस्ट्री दी कि एक्ट ४६ आफ १९५१ और एक्ट ४६ आफ १९४७, दोनों का क्या माहिसल निकला। एक्ट २० सन् १९५२ के मातहत इन दोनों एक्टों को खत्म कर दिया गया। लेकिन दफा २५ आफ एक्ट २० सन् १९५२ के मातहत इसको रिपील कर के पहले दोनों एक्टों के प्रोविजन को फिर से एनैक्ट कर दिया गया। इन दोनों एक्टों का हवाला दे कर लोगों ने अदालत का दरवाजा खटखटाया कि उन को उन के मौजूदा मकानों से न निकाला जाए और उन को जमीनें देनी चाहिए दिए हुए एर्योरंस के मुताबिक। उन लोगों ने हाई कोर्ट में रिट एप्लीकेशन दे दी। रिट एप्लीकेशन अपने तरह को एक रमेडी है क्योंकि वह लोग सिविल सूट नहीं दायर कर सकते थे। लेकिन हाई कोर्ट ने क्या करार दिया? एक बड़ी अजीब बात करार दी गई कि वह जमीनें जिन पर अनऑथराइज्ड स्ट्रक्चर बनाए जाते हैं बच नहीं सकती हैं। उन पर के स्ट्रक्चर जमीनों के साथ जाते हैं। वहाँ यह बहस की गई कि यह जमीनें एक्ट २० सन् १९५२ की पार्ट नहीं हैं। एसी हालत में एर्योरंस बेज देने से क्या फायदा। हमारे आनरबुल मिनिस्टर साहबान और इस आनरबुल हाउस के एर्योरंस बेज की यह कद्द है कि जिन्होंने यह कानून बनाया उनके ही हुकूम को उनके कानून के मातहत वायोलेंट किया जाता है। उनको कानूनों की बेकहूनी ही नहीं की जाती लेकिन उन को स्पष्ट भी किया जाता है। मैं

क्या शिकायत करूँ। दिल्ली में सेंट्रल गवर्न-मेंट की नाक के नीचे मकानों को गिराया गया और गिराने से पहले उससे पूछा तक नहीं गया कि ऐसा किया जाए या नहीं। इस तरह से जुल्म किया गया, खास तौर से रिफ्यूजीज के ऊपर।

यह मेरे लिए नाकाबिले बरदारत था। मैं कई मर्तबा आनरबुल मिनिस्टर साहबान के पास गया। मैं ने जेन साहब को लिखा और उनके पास गया। उन्होंने लिख कर भेज दिया कि इन मकानों को मत गिराओ। कुछ दिनों तक तो उन्होंने उनको नहीं गिराया लेकिन फिर गिराना शुरू कर दिया। लोगों को नोटिस दिए गए और उनसे डेम्बेज वसूल करना शुरू कर दिया गया। उनसे कई गुनी कीमत मांगी जाती है, वह भी वह देने के लिए तैयार हो जाते हैं, लेकिन फिर भी उनके साथ कोई रियायत नहीं बरती जाती। मैं आनरबुल मिनिस्टर साहब से इस मामले में एर्योरंस बेज चाहता हूँ। अगर वह इनचार्ज नहीं हैं तो जो मिनिस्टर इनचार्ज हो वह यह एर्योरंस दे। मैं तो समझता हूँ कि सारी गवर्नमेंट हर मिनिस्टर के काम के लिए जिम्मेवारी है। शायद इस काम की आनरबुल राजकुमारी जी इनचार्ज हों। पर कोई भी इनचार्ज हो मैं यह चाहता हूँ कि जो भी मिनिस्टर हमको एर्योरंस दे वह उनको पूरा करने के लिए भी जिम्मेवारी ले। अगर ऐसा नहीं होगा तो हम को एतबार नहीं आवेगा। मेरा सर शर्म से नीचा हो जाता है जब मेरे पास रिफ्यूजी लोग आते हैं और कहते हैं कि जो एर्योरंस आपके मिनिस्टर साहब ने दिए थे उनको नहीं माना जाता। इनको न मानने वाले लोग कौन हैं? यह सब आपके मातहत लोग हैं। लेकिन मैं दखला हूँ कि आप लोग इनके मुकाबले में बेबस हैं और हमारी शिकायतों के बावजूद भी कुछ कर नहीं सकते हैं। मेरे पास इसके सिवा कोई चारा नहीं कि मैं एर्योरंस मांगूँ। हम को जो एर्योरंस दिए गए थे वह तो एक जेंटिल-मैन्स प्रोमिज था और उन एर्योरंस बेज की वजह से ही हम ने उस कानून के पास होने में आब-बेकशन नहीं किए और उसको पास होने दिया।

में चाहता हूँ कि आनरबुल मिनिस्टर साहब या गवर्नमेंट हमको यह एश्योरेंस दें कि जिन लोगों को बंदखल कर दिया गया है उनको जमीन वापस दी जाएगी और जिनके मकान मौजूद हैं और गिराए नहीं गए हैं उनको गिराया नहीं जाएगा और स्कीम को माहीफाई कर दिया जाएगा। मेरे पास एक ऐसे मकान मालिक का कंस है जिसका मकान ४०,००० का था और उसको बंदखल कर दिया गया। एश्योरेंस में हम से कहा गया था कि हर कंस को खास तौर से देखा जाएगा। जब आप हर एक को बंदखल करके पांच सौ रुपये और एक टुकड़ा जमीन देना चाहते हैं। जिस आदमी का ४०,००० का मकान लिया गया उसको न तो कोई मुआवजा दिया गया और न कोई आल्टेनैटिव एकोमोडेशन दिया गया। मैं अब से अर्ज करूंगा कि जब तक उन एश्योरेंस को पूरा नहीं किया जाएगा और जो लोगों के साथ जुल्म हुआ है उसको दुरुस्त नहीं किया जाएगा तब तक आपको हाउस में यह बिल लाने का कोई आवाज नहीं है। किस मुंह से मिनिस्टर साहबान इस हाउस में आते हैं जब कि हुक्काम लोग उनके हुक्म की पाबन्दी नहीं करते। मैं नहीं समझता कि दिल्ली स्टेट की आटानमी क्या है या इम्प्रूवमेंट ट्रस्ट ओटोनोमस है या नहीं या क्या काम करता है। मैं तो एक चीज जानता हूँ कि यह हाउस सार्वरिन बाडी है और यहां पर जो गवर्नमेंट के मिनिस्टर ने कह दिया वह लफ्ज ला है। जब यहां कोई एश्योरेंस दिया जाता है तो देश के अन्दर कोई ऐसी ताकत नहीं होनी चाहिए जो कि उसको स्पन कर सके। इसलिए मैं कहूंगा कि जब तक यह एश्योरेंस न दिया जाए कि जिन लोगों के साथ जुल्म हुआ है उसको दुरुस्त कर दिया जाएगा उस वक्त मैं इस बिल को उस निगाह से देखने के लिए तैयार नहीं हूँ जैसा कि मिनिस्टर साहब चाहते हैं।

इसके अलावा यह बिल बहुत सिम्पल भी नहीं है। इस बिल में लफ्ज लैंड की कोई तारीफ नहीं दी गई है। मैं आनरबुल मिनिस्टर साहब से पूछता हूँ कि लैंड में बििल्डिंग्स शामिल हैं या नहीं। अगर लैंड की तारीफ में

इमारतें भी शामिल हैं तो इस अमेंडमेंट की जरूरत ही नहीं है। अगर लैंड में इमारतें शामिल नहीं हैं तो आप जान ली हार्न्स आफ एडवाइस हैं। अगर लैंड में इमारतें शामिल नहीं हैं तो आपने अब तक की कार्रवाई किस हक से की? आपने इमारतें किस हक से गिरवाईं। आपने इमारतें गिरवाकर कानून के खिलाफ करवाईं की हैं। मैं आनरबुल मिनिस्टर की इत्तला के वास्ते यह भी अर्ज कर दूँ कि यह सवाल पहले भी हाउस में उठा था जब कि एक्ट ४६ सन् ५२ पास हुआ था और आनरबुल मिनिस्टर गाडगील साहब ने कहा था कि लैंड में इमारतें शामिल हैं। अगर आप कहते हैं कि लैंड में मकानात शामिल नहीं हैं तो जो मकान गिराए गए हैं वे नाजायज तरीके से गिराए गए हैं। अगर मिनिस्टर साहब यह कहते हैं कि लैंड में इमारतें शामिल नहीं हैं तो मैं अर्ज करूंगा कि वह इस लफ्ज को रखें और हम देखेंगे कि इसका रखना कहां तक दुरुस्त है। एक्ट ४६ सन् ५२ में गवर्नमेंट प्रीमिसेज में से कुछ को पब्लिक प्रीमिसेज में बँच कर दिया गया। उसको सन् ५२ के एक्ट से फिर पहले जैसा कर दिया गया।

**Sardar Swaran Singh:** Buildings of unauthorised persons not belonging to the Improvement Trust. That is the distinction.

**Pandit Thakur Das Bhargava:** Where is the distinction. Sir?

**Sardar Swaran Singh:** Buildings of Improvement Trust and buildings of unauthorised persons on Improvement Trust land.

**शंभू ठाकुर दास भार्गव:** लेकिन इमारत तो पहले से शामिल हैं। उसे आज आप प्रोपोज करना चाहते हैं। मैं पूछना चाहता हूँ कि जो इमारतें बनी हुई थीं उनको आपने किस अस्तित्व से गिराया। अगर लैंड में बििल्डिंग्स शामिल नहीं थीं तो आपने उनको किस अस्तित्व से गिराया। अगर आप गाडगील साहब के इंटरप्रिटेशन को मानते हैं तो वह बिल गैर जरूरी हो जाता है। लेकिन अगर आप कहते हैं कि

[पीछत ठाकुर दास मार्गव]

नहीं, इसमें चिलिंग शामिल करने की जरूरत है तो पहला काम आप यह कीजिये कि जो मकान गिराये गये हैं उनको रीनस्टेंट कीजिये।

मैं एक और तरीके से भी मामला पेश करना चाहता हूँ। यह जो एक्ट २७ सन् ५० बना यह सार्व हिन्दुस्तान के वास्तु हैं। जब यह एक्ट बना तो इसमें से जम्मू और काश्मीर और दिल्ली को एक्सक्लूड कर दिया गया था। फिर दिल्ली को इसमें रखने की कोशिश हुई। अब सिर्फ यही नहीं चाहता जाता कि दिल्ली स्टेट को इसमें शामिल किया जाये बल्कि इस कानून में खास तौर पर इम्प्रवमेंट ट्रस्ट और लोकल शाहीब के लिए ताकत चाही जा रही है। मैं पूछना चाहता हूँ कि इम्प्रवमेंट ट्रस्ट सिर्फ दिल्ली में हैं या हिन्दुस्तान के किसी और हिस्से में भी हैं। क्या उन दूसरे इम्प्रवमेंट ट्रस्ट्स को यह अख्तियार हासिल है कि आप दिल्ली को देना चाहते हैं। क्या वे किसी स्लम्स को दूर नहीं करते। जनाब वाला, जब मुझे स्लम्स की याद आ गयी। इसमें एक दूसरा पहलू और है। अजमेरी गेट के करीब के इलाके में जहाँ कि आज नई बड़ी बड़ी इमारतें बनी हुई हैं और जहाँ पर कि जमीन २०० और ३०० रुपये गज बिकी, पहले गरीब लोगों के मकान थे जो कि सब्जी बेचा करते थे या इसी तरह के दूसरे छोटे छोटे पेशे करते थे। सन् ३५ में उनको नोटिस दिया गया कि तुम्हारा मकान एक्वायर किये जायेंगे। सन् ४६ में फिर यह नोटिस रिपीट हुआ। अब उनको ५ या ६ रुपये गज मूआवजा देकर उनसे यह जमीन ली जा रही है और उनसे कहा जा रहा है कि तुमको ६ या ७ मील ही दूरी पर जमीन दी जायगी। और उनकी वह जमीन दो दो सौ और तीन तीन सौ रुपये गज में बेची जा रही है। जिनके मकान नहीं लिये गये हैं उनसे बैटरमेंट की मांगी जा रही है। कल एक साइब आये और

उन्होंने मुझे बतलाया कि उन लोगों से एबेनडनमेंट की भी मांगी जा रही है। बैटरमेंट फी तो मैं समझ सकता था लेकिन एबेनडनमेंट फी मैं नहीं समझ सका। बैटरमेंट फी उन लोगों से चार्ज की जायेगी जिनके मकान नहीं लिये गये, क्योंकि उनका मकान की कीमत बढ़ गयी है।

एबेनडनमेंट फी वह है कि जिस एरिया के अन्दर जितने भी मकानात हैं उन सबको अगर एक्वायर कर लिया जाता तो कितना फायदा गवर्नमेंट को होता। चीक वह एबेनडेंट हैं और एक्वायर नहीं किये जायेंगे, इस लिये एबेनडनमेंट फी भी वह लोग अदा कर जाँ उस एरिया के रहने वाले हैं। जनाबवाला, इस सिलसिले में मैं गवर्नमेंट और हाउस की डिजायर समझ सकता हूँ, इंग्लैन्ड की डिमांड समझ सकता हूँ कि रहने के वास्तु अच्छे और डिसेंट मकान दिये जायें। मैं खुद स्लम्स के हक में नहीं हूँ और जाहिर है कि जहाँ कहीं स्लम्स का क्विलयर्स होगा थोड़ी बहुत तकलीफ लोगों को होगी क्योंकि आखिर कोई इम्प्रवमेंट बिना तकलीफ के होता नहीं है। बड़े और अच्छे मकान बनाये जायेंगे, हर एक आदमी को मकान भी शायद न दिया जा सके लेकिन मैं यह मानने को कतई तैयार नहीं हूँगा और मैं नहीं चाहता कि उस इलाके के सारे लोगों को बेदखल करके उनको आठ आठ मील के फासले पर भेज दिया जाय और उनके बजाय यहाँ पर बड़े बड़े महल तामीर किये जायें। और वे बड़े बड़े आदमीयों को दे दिये जायें। आप अच्छे मकान बनाइयें उनमें ज्यादातर उन लोगों को हिस्सा दीजिये जो वहाँ पहले से रह रहे हैं और अगर कुछ ऐसे रह जायें जो कि वहाँ पर न रहसके जा सकें तो उनको आलटरनेटिव एकोमोडेशन दीजिये, लेकिन आलटरनेटिव एकोमोडेशन के यह मानी नहीं कि आप उनको सात सात मील पर भेज दें क्योंकि उनको उनके कारोबार को बगहै से दूर भेज देना

छानके लिये सख्त तकलीफ का वायस होगा। उनको उनके रोजगार की जगह से जहाँ तक हाँसके नजदीक से नजदीक जगह पर कोई आल्टरनेटिव एकोमॉडेशन बना कर दीजिये और अगर आप ऐसा करते हैं तो जाहिर है कि आप हाउसिंग प्राबलम सॉल्व करते हैं। गवर्नमेंट महल बना कर लोगों को उनमें रखे और उनसे किराया वसूल करे, उसके बारे में मैंने अर्ज किया कि मुझे गवर्नमेंट के महलों में रहना मंजूर नहीं है। मैं चाहता हूँ कि हर एक आदमी के पास अपना मकान हो ताकि वह फील कर सके कि मैं इस मकान का मालिक हूँ और ऐसा होने पर उसमें यह अहसास पैदा हो जायगा कि वह उस मकान का मालिक है और वह अपने घर को कौंसिल की तौर पर रखेगा। इसके वास्ते यह तजवीज रखी गयी थी कि यह जमीनें उपकां दी जायें और जिन मकानात में वे रह रहे हैं उनसे बंदखल न किया जाय, लेकिन उसको नहीं माना गया। पर्टलनगर में हमारे रैफ्यूजीज भाइयों ने मकान बनाये और मैं मिनिस्टर साहब को वहाँ दिखाते ले गया और उन्होंने उन मकानों को पसन्द किया। मुझे याद है कि एक मौके पर जब मैंने सरदार स्वर्ण सिंह को वे मकान दिखाया तो उन्होंने देख कर पसन्द किया और उन लोगों की तारीफ की जिन्होंने इतनी मुसीबत में आकर भी ऐसे मकानात बना डाले। उनसे मकानों का नकशा दाखिल करने को कहा गया और उन्होंने पांच सौ रुपया लगा कर इम्प्रूवमेंट ट्रस्ट के पास नकशे दाखिल किये और वह तैयार थे कि जहाँ इम्प्रूवमेंट ट्रस्ट बतलायेगा कि यह ठीक नहीं है, वह उसको दुरुस्त कर देंगे और इस से साफ जाहिर होता है कि वह गवर्नमेंट से किस कदर कोआपरेट करना चाहते थे लेकिन अफसोस के साथ कहना पड़ता है कि गवर्नमेंट कोआपरेट नहीं करती और मेरी शिकायत इस बिना पर है। मैं गवर्नमेंट की इस पालिसी को मानता हूँ कि स्लम्स

भी दूर हों और अच्छे मकान बनें और लोग उन मकानों में बसाये जायें लेकिन मैं यह मानने को तैयार नहीं हूँ कि इसके वास्ते आप बंजा तौर पर उन बंचार गरीब और गरीबतजद्दा लोगों को दुरुस्त हैं। मैं उन एश्योरेंसज का पार्टी था और मैं महसूस करता हूँ कि कोई गवर्नमेंट जिस्टफाइड नहीं है कि वह उन वायदों से पीछे हटें या उन्हें खैरवाद कहे। हम देखते हैं कि हर एक मिनिस्टर इस मामले में लिप सिम्प्ली करता है लेकिन जब उन पर अमल करने का वक्त आता है तो उन पर अमल नहीं किया जाता। मैं नहीं चाहता कि मेरी गवर्नमेंट इस तरीके से बदनाम हो और लोगों का यह ख्याल कायम हो कि हमारी गवर्नमेंट इस मामले में ठीक काम नहीं कर रही है। मैं जानता हूँ कि हमारे मिनिस्टर साहबान की क्या स्वाहिश है और उनके दिल में क्या है लेकिन उससे तो काम कुछ बनता नहीं और हम देखते हैं कि जब उनके दिये हुए वायदों पर अमल करने का वक्त आता है तो जो उनके नीचे काम करने वाले उनका सभारीडनेट अमला है वह उनके मुताबिक अमल नहीं करता और उनको नजरअंदाज कर देता है। आखिर सरदार स्वर्ण सिंह बजात खुद तो कोई गवर्नमेंट हैं नहीं और उनकी पालिसी और डायरेक्शंस को अमल में लाने की जिम्मेदारी तो नीचे के अफसरान पर तहसीलदारों और पटवारियों आदि पर होती है और अगर जनता को सहूलित मिलती है और आराम मिलता है तो वह कहती है कि गवर्नमेंट ठीक है और अच्छी है लेकिन अगर वही तहसीलदार और थानेदार बगैरह उनके ऊपर मारधाड़ करें और जुल्म करें तो लोग कहते हैं कि हमें तो स्वराज्य का मजा नहीं आया। मैं कहना चाहता हूँ कि इन स्लम्स के अन्दर जो गरीब आदमी रहते हैं वह आपकी क्लियरेंस की स्कीम को समझते हैं और वह अपनी जगहों को छोड़ने को तैयार हैं

[एडिक्ट ठाकुर दास भार्गव]

और न ही यह बात है कि वह बेकार में जाकर अर्जियां भेजे लीकिन यह जरूर है कि जब आप ऐसे लोगों को उस जगह से जहां पर वह जनरेशन से रहते चले आये हैं उनको उस जगह से निकालते हैं तो उनको कोई आलटरनेटिव एकोमोडेशन जरूर प्रोवाइड करनी चाहिये और यह भी ध्यान रखना चाहिये कि वह उनके कारोबार के नजदीक हो। मैं अदब से अर्ज करना चाहता हूँ कि इस स्लम विलयर्स के सम्बन्ध में आप कोई ऐसा फुल प्रूफ प्रोविजन रखिये जिससे उनके साथ बेइंसाफी न हो और मैं चाहता हूँ कि यह मामला सेलेक्ट कमेटी में जाय और वहां पर इसके लिये वाजिब सफेगाई रक्खा जाय। इसके अलावा ऐसे अस्तियारात जो और किसी स्टेट के इम्प्रूवमेंट ट्रस्ट को नहीं मिले हुए हैं वह दहली इम्प्रूवमेंट ट्रस्ट को देना कहाँ तक वाजिब है। हमारा जो कांस्टीट्यूशन है उसका जो प्रीएम्बुल है उसके अन्दर दोनों बातें लिखी हैं। उसमें लिखा है कि जहां इंडिविजुएल का सवाल है उसकी डिगनिटी की हम पूरी तौर से कद्र करेंगे और जहां तक सांसाइटी के इंटरस्ट्स का सवाल है हम उनकी कद्र करेंगे। या तो आप प्राइवेट प्रापरटी को बिल्कुल खत्म ही कर दीजिये लेकिन जब तक आप उसको कायम रखते हैं तबतक उसकी सैक्टिटी आपको माननी होगी और यह जो आदमी के लिये मकान का मसला है और उसका कौंसिल आप मानते हैं तो आपको देखना होगा कि एक इंडिविजुएल को बेजा तौर पर तकलीफ न हो और इसके लिये सेलेक्ट कमेटी का फर्ज हो गया है कि वह देखे कि हम उन उख्त्तों पर जो हमने सन् ४७ में ले आउट किये थे उन पर कहां तक कारामद हो सकते हैं। आज तो यहां पर पता ही नहीं लगता कि कौन मिनिस्टर इनचार्ज है और किसके पास वह लोग जाय, इधर-उधर मार-मार घूमते हैं और नतीजा यह होता है कि सब टांय टांय फिस

होजता है। मैं उम्मीद करता हूँ कि सेलेक्ट कमेटी में यह मामला धौंस हो जायगा। जो पावर्स दी जा रही हैं या दी जा चुकी हैं, उनको मुतालिक हम किस तरह से अमल करें कि जिससे उनका मिस्च्यूज न हो सके और ठीक तौर पर काम चल सके। जनाबवाला, मुलाहिजा फरमायेंगे कि मैंने दो अमेंडमेंट्स भेजे हैं। एक का मतलब यह है कि दहली इम्प्रूवमेंट ट्रस्ट को जो खास अस्तियारात इस एक्ट में दिये गये हैं और जो बाकी हिन्दुस्तान की स्टेटों में नहीं दिये गये हैं उनको वापस ले लिया जाय क्योंकि यह एंब्यूज किये गये हैं। गाइगील साहब ने तकरीर फरमाते हुए कहा था कि हम यह पावर्स एंब्यूज नहीं करेंगे, यह ठीक है कि उन्होंने तो एंब्यूज नहीं की लेकिन जो उनके नीचे काम करने वाले थे उन्होंने उन पावर्स का गलत इस्तेमाल किया है और मैं नहीं चाहता कि आगे उनके मिस्च्यूज करने के वास्ते एक्ट में कोई गुंजायश छोड़ी जाय। फरवर एंब्यूज न होने देने के लिये सेलेक्ट कमेटी को उस पर ठंडा दिल से विचार करना चाहिये और मैं मानता हूँ कि हमारे मिनिस्टर साहब इसके ख्वाहिशमंद हैं कि उन पावर्स का एंब्यूज न हो, उनकी डिजायर इस बात में किसी से कम नहीं है कि किसी को बेजा तकलीफ न हो और हमारे सरदार स्वर्ण सिंह के दिल में शरणार्थियों के लिये बहुत हमदर्दी है और मुझे पूरी उम्मीद है कि वह अपनी डिरियादली का सबूत उसी तरह से देंगे जैसे गाइगील साहब ने अपने जमाने में दिया था। मैंने इस सेलेक्ट कमेटी में दो मिनिस्टर्स रखे हैं, एक तो सरदार साहब और दूसरे हमारी बीहन राजकुमारी जी हैं और मुझे उम्मीद है कि वे और सेलेक्ट कमेटी के दूसरे मेम्बर आपस में मिल कर इस मसले पर गौर करेंगे और जहां पर पावर्स देना जरूरी समझे वहां पावर दें लेकिन साथ ही उनके लिये पूरा सफेगाई रक्खा जाय ताकि उनको एंब्यूज न किया जा सके और जहां

यह महसूस किया जाय कि पावर्स जरूरी नहीं हैं वहां से उनको वापिस ले लिया जाय और हमारा पुराना एक्ट सन् ५० का जो मकसद था उसको मद्दर्शनजर रखते हुए इस मसले पर गौर किया जाय और सुझाव दिये जायें ।

यह जो सन् ५० का एक्ट इनकारपोर्टेट हुआ और उसके बाद जो उसमें तरमीम हुई, उस सारी हिस्ट्री और बैकग्राउन्ड को देखें सभी आप ठीक तौर पर इस मांजूदा एक्ट को समझ सकते हैं और इसके साथ इंसालफ कर सकते हैं । इन अलफाज के साथ मैं अपने इस मोशन को हाउस के सामने पेश करता हूँ और उम्मीद करता हूँ कि हाउस इसको सपोर्ट करेगा और अनरबुल मिनिस्टर मेहरबानी करके इसको कबूल करेगा और कबूल करके हमारा वास्तं वह एक एसा सीधा रास्ता बूँडेगा जिसके अन्दर सांप तो मरने पर लाठी न दूँ ।

**Mr. Deputy-Speaker:** Let me place the motion before the House.

**Shri Gidwani:** Sir, I have also given the same motion.

**Mr. Deputy-Speaker:** Does the hon. Member want that all the persons who have tabled the same motion should be called? I will first place the motion already moved.

Amendment moved:

"That the Bill be referred to a Select Committee consisting of....."

**Pandit Thakur Das Bhargava:** Sir, with your permission, I want to submit three more names: Col. Zaidi, Shri Pataskar and Shri K. S. Raghavachari.

**Mr. Deputy-Speaker:** The name of Shri Raghavachari is already there in the list. I will include the other two names and also Shri Nambiar's name already proposed and place the motion before the House.

Amendment moved:

"That the Bill be referred to a Select Committee consisting of Shrimati Subhadra Joshi, Shri Radha Raman, Shri C. Krishnan Nair, Sardar Hukam Singh, Shri Choithram Partabrai Gidwani, Lala Achint Ram, Sardar Swaran Singh, Shri Maneklal Maganlal Gandhi, Rajkumari Amrit Kaur, Shri Girraj Saran Singh, Shrimati Renu Chakravartty, Shri K. S. Raghavachari, Shri Rohini Kumar Chaudhuri, Shri K. Ananda Nambiar, Col. B. H. Zaidi, Shri Hari Vinayak Pataskar, and the Mover, with instructions to report by the 5th December, 1954".

1 P. M.

The rule is that no Member who is willing to serve on the Select Committee will be called upon to participate in the debate here. But if any hon. Member feels that he or she must make observations at this stage, he or she is entitled to withdraw from the Select Committee.

**The Minister of Health (Rajkumari Amrit Kaur):** I would like to intervene at some stage just to say a few words about the Delhi Improvement Trust.

**Mr. Deputy-Speaker:** I am afraid I cannot make an exception even in favour of a Minister.

**Shri Gidwani:** I would like to know whether the Minister accepts the motion for reference to the Select Committee.

**Mr. Deputy-Speaker:** What is the attitude of the Government?

**Sardar Swaran Singh:** The attitude of the Government is not very unfavourable to this.

**Shri Gidwani:** This should be made clear.

**Mr. Deputy-Speaker:** My difficulty is: I am shouting out the names of a



[Mr. Deputy Speaker]

number of hon. Members who are here. They will participate in the Select Committee, if the motion is accepted by the House. The majority party is represented by the hon. Minister. We must know definitely whether the hon. Minister is accepting the proposal, in which case I would not allow those hon. Members, whose names I have mentioned, to participate in the discussion. If he does not accept, I will throw it open and shall allow every hon. Member to speak.

**Sardar Swaran Singh:** We will accept this.

**Mr. Deputy-Speaker:** Shrimati Subhadra Joshi has written to me that she is willing to withdraw in case she is not allowed to speak. If she wants to withdraw, I have no objection to allow her to withdraw, but I would not allow her to speak so long as her name appears in the list.

**An Hon. Member:** Does it apply to Sardar Swaran Singh?

**Mr. Deputy-Speaker:** He is the Mover. The exception applies to him. Yes, Mr. Tek Chand. Hon. Members will be brief. The motion is that the Bill be referred to the Select Committee.

**Shri Tek Chand (Ambala-Simla):** I share to the fullest the fears and the apprehensions given vent to by the previous speaker. There are certain aspects of the operation of the existing Act which ought to be scrutinised by the heads of Governments. Therefore it is a welcome motion that it be referred to the Select Committee, in order that the entire Act, as it is, may be overhauled, because it has certain unhappy and ugly features. It is towards those that I wish to invite the pointed attention of the hon. Minister. So far as the Government Premises (Eviction) Act is concerned, with the best of desire, it tends to be rather drastic in operation. I wish to invite your kind attention to section 3 of the Act. According to the provisions of section 3,

powers to evict certain persons from the Government premises vest in the competent authority. It is the competent authority that has to be satisfied. So far as his satisfaction is concerned, whether it has been satisfactorily arrived at or casually or superficially determined, he is his sole judge. The other provision specifically prevents any civil court from examining or reviewing the correctness of his own satisfaction or judgment. He is into himself the sole arbiter and the fate of the persons to be evicted rests exclusively and completely in his hands. It is his whim, it is his caprice, it is his passing fancy which is to determine the fate of the man—whether he has to be evicted or is permitted to stay. No civil court can sit in judgment upon his discretion in the matter. This discretion is unrestrained, unrestricted, by the provisions of the Act. The only break is his own and enlightened conscience.

Now, I know of a case, the facts of which and the data for which I will furnish to the hon. Minister. A certain person's land is the property of the railway, and therefore of the Government of India. A certain person is the lessee for several years. He wanted to build certain buildings; he had to submit plans to the Government. The plans had been examined by the Government and approved by the Government. After that, some officer makes it his fancy that these premises should be acquired, despite the fact that there are structures of the value of Rs. 80,000 or the like. Notice is given to a man who has been in occupation for the last two decades. The formula is repeated, namely, "You are in unauthorised occupation of those premises; take notice that within the stated period, 15 days, you will be evicted." He prays, he goes to the authorities, but nothing happens. So far as the competent authority is concerned, it simply endorses the language of the notice. There is an appeal in the sense that there is no hearing at all. Some sort

of written representation is entertained, and he is told that the appeal is rejected. No grounds, no reasoning, nothing is stated. A man who has on that land building worth Rs. 80,000 is only to be called an unauthorised occupant and the eviction notice is given. This Act further provides no compensation for the lessee who has built on the land, the buildings and the plans approved of by Government, and he is not in arrears of payment of rent even by a single day. At first, what happens is, they keep on asking for more rent. He has no choice in the matter. He is dumbfounded. A couple of years later, the mouth opens still wider. He puts in more rent. Despite the fact that he is not in arrears, so far as the payment of rent is concerned, nonetheless, he is summarily asked to get out and leave his buildings where they are. The question of compensation is not even suggested, not to say of its determination or its fixation.

Kindly see section 3. It provides for the competent authority being satisfied about certain matters, one of them being that a certain portion is sub-let. Even then, the person is deemed to be in unauthorised occupation of Government premises and he is liable to be ejected. For instance, if there are premises of Government—may be of 20 or 50 rooms, and one room is sublet, then the person is liable to be evicted the entire building, whether that building has been constructed by him or by the Government.

Then again, the definition is to be enlarged. The expression "Government premises" is being changed to "public premises." It will mean not only buildings but also land. Land, as the hon. Minister knows far better than I do, has a diversity of statutory definitions. Land has been defined to include buildings, has been defined to include plots, and has been defined to be confined or restricted to agricultural land; at places, land has been, under certain statutory definitions, defined to exclude gardens and court-

yards, and other things. Therefore, it would have been desirable if it was intended to include land within the definition of 'premises' so as to further specify expressly the definition of land. If you are including agricultural land, kindly see the consequences that will follow as a result of sheer process of logic. If land excludes agricultural land, every Government tenant is liable to be evicted according to the fancy and caprice of the competent authority, whether his crops are there, whether his harvest is there, or whatever is there. Unless you are going to restrict and in express terms define with absolute precision the term "land" my fears are that you will yourself later on come with a second amendment, because you will find the Act as such absolutely unworkable.

**Mr. Deputy-Speaker:** This is only an amending Bill: so the observations should be restricted to whatever is sought to be amended. The term "land" is not sought to be amended.

**Shri Tek Chand:** Previously the Act was confined to buildings only.

**Mr. Deputy-Speaker:** The hon. Member is mistaken. On the other hand it was confined to land so far as the Delhi Improvement Trust was concerned. Now they want to include buildings also.

**Sardar Swaran Singh:** It covers both land and buildings so far as Government property is concerned.

**Shri Tek Chand:** I happen to have the Act. Previously the Act was confined to buildings only.

**Mr. Deputy-Speaker:** No, no.

**Shri T. N. Singh:** He is referring to the 1947 Act. This is an amendment of the 1950 Act.

**Shri Tek Chand:** I would draw your attention to Act XXVII of 1950 by the name of the Government Premises (Eviction) Act 1950. Will you very kindly turn to sub-section (c) of section 2?

"Premises" means any building or part of a building and includes gardens, etc."

[Shri Tek Chand]

Therefore, what the original Act defined was building.

**Mr. Deputy-Speaker:** I am afraid there is some confusion. What is sought to be amended now is the definition of the term "Government premises". Government premises are called by the name of public premises. Public premises are defined to include within it land as well as buildings of the Delhi Improvement Trust as in the case of other Government premises, which include both land and buildings. There is an inadvertence in the Statement of Objects and Reasons. It is not a definition of premises, but public premises or Government premises.

**Shri Tek Chand:** The point is, because this Bill is going to a Select Committee it will be desirable to define the term "land" with greater precision, so as not to include in it agricultural land.

**Mr. Deputy-Speaker:** That is going beyond the scope of the Bill.

**Shri Tek Chand:** Very good. I can then only express my fear that if there is going to be rigid adherence to the provisions as they are worded in the present amendment, a second amendment will follow.

So far as my next point is concerned, I wish to invite the pointed attention of the hon. Minister to Section 5.

**Mr. Deputy-Speaker:** Section 5 is not sought to be amended and therefore it is out of the scope of the Bill. This is not a repealing Act. Only certain sections are touched. How can the hon. Member go into other sections?

**Shri Tek Chand:** All that I submit is that, if you think I am in order, now that the matter is going before a Select Committee, the Act as such may be overhauled. If, however, you think that I am asking for something which is not within the scope or out of competence of the Select Committee, then the question does not arise.

**Mr. Deputy-Speaker:** It does not arise.

**Shri Tek Chand:** The next thing is that rent or damages are sought to be recovered like arrears of land revenue.

**Mr. Deputy-Speaker:** Even that section is not touched.

**Sardar Swaran Singh:** Only so far as it is sought to be extended to the Improvement Trust.

**Mr. Deputy-Speaker:** I am afraid merely because the words "Government premises" are sought to be substituted by another description "public premises", the whole section is not thrown open to discussion.

**Shrimati Renu Chakravarty:** Once a section is open to amendment, any other amendments to the same section may be considered—that is what we have been following right through. We cannot go to another section, but we can bring amendments to any part of that section. The whole section is open to discussion.

**Mr. Deputy-Speaker:** I do not think so.

**Shri Tek Chand:** So far as this matter is concerned, I respectfully submit that I am on *terra firma*. Section 4 on page 5 reads:

"Power to recover rent or damages in respect of Government premises as arrears of land revenue."

The new change that is being brought about is not merely confined to Government premises only, but it is going to include so far as realisability of the dues is concerned, to all premises whether they happen to be owned by the Government or whether they happen to be the Government property or not. In other words, the Revenue Recovery Act of 1890 is going to be extended not merely to the property owned by the Government but also to property owned by another jurisdic person, namely some corporation, or some local authority.

**Mr. Deputy-Speaker:** I would like to know from the hon. Member whether definition of "Government premises" has been extended to include any new category which is not in the original Act, in which case I will certainly allow discussion. But that is not so.

**Shri Tek Chand:** I would request you to turn to section 4, sub-section (1) of which reads:

"Subject to any rules that may be made in this behalf by the Central Government, by notification in the official Gazette, any sum due by way of rent in respect of any Government premises which is in arrear may be recovered by the competent authority from the person liable to pay the same in the same manner as an arrear of land revenue."

Therefore, recovery as land revenue is restricted to premises which are known as Government premises.

**Mr. Deputy-Speaker:** It is already so in the original Act.

**Shrimati Renu Chakravarty:** Now it is being extended.

**Mr. Deputy-Speaker:** The hon. Member must satisfy me before he proceeds further. For the word "Government premises" "public premises" are sought to be substituted. Then, in the word 'land', in addition to land, buildings are included. Is it the contention of the hon. Member that so far as the buildings are concerned, they are included and they have been brought under the existing definition and therefore, to that small extent, whether the arrears of rent should be treated as arrears of land revenue or not. I can understand, if, for merely 'Government premises', the word 'public premises' is used, without any addition regarding the scope of the public premises; there is no substance..

**Shri Tek Chand:** It is grossly extended.

**Mr. Deputy-Speaker:** Extending only to this.....

**Shri Tek Chand:** No, Sir. I am inviting your attention to the first page, clause 4, amendment of section 2, Act XXVII of 1950. Kindly read (b). 'Public premises' means any premises belonging to or taken on lease or requisitioned by the Central Government, or requisitioned by the competent authority under the Requisitioning and Acquisition of Immovable Property Act of 1952. That is to say, whether they belong to Government or not; it may be my premises or your premises which is requisitioned by the Government. They become public premises now. And lastly, in relation to the State of Delhi, it includes any premises vested in the Delhi Improvement Trust—that is a third category of public premises. The fourth category—any premises vested in the local authority in that State. Therefore, the original definition of 'Government premises' had to be substituted by the other handy word 'public premises' because the term public premises is going to include four categories of property.....

**Mr. Deputy-Speaker:** They are there in the original Act.

**Pandi Thakur Das Bhargava:** My friend is not taking into account the amendments; Act XXV of 1952 amended this Act; this is the second measure.

**Mr. Deputy-Speaker:** Act XXVII of 1950, as amended in 1952, is sought to be amended now. It must have been made clear.

**Sardar Swaran Singh:** The clause in the amended form is at page 4 and it is reproduced here incorporating the latest amendments.

**Mr. Deputy-Speaker:** The definition there in the annexure gives the amended form. Therefore, am I right in thinking that there is no difference between clause (b) there except in relation to buildings and clause (b) of the present Bill?

**Sardar Swaran Singh:** That is correct. Only addition is 'buildings' and their rent is sought to be made at par with Government buildings.

**Shri Tek Chand:** I am grateful to the hon. Minister. The effect of the new amendment is this. A building, which previously was not Government building—if the rent in respect of which was in arrears, what is the remedy? It is the remedy of any ordinary citizen. Now, with respect to such a building by bringing about a change in the definition, the effect will be this. Anybody who is in arrears, his things will be sold. If he happens to be a tailor, his sewing machine or if he happens to be an artisan, his tools—his goods are attached and sold under the Revenue Recovery Act of 1890 and there will be no scope for instituting a suit or taking a decree.....

**Mr. Deputy-Speaker:** Even there, tools and implements of artisans etc., are exempt from attachment.

**Shri Tek Chand:** So far as the Revenue Recovery Act of 1890 is concerned, there are no such exemptions of the type within the contemplation of section 60 of the Code of Civil Procedure. For the purpose of revenue recovery, what the Collector does is this. He receives a certificate, if it is not within his own jurisdiction, from the neighbouring Collector. If he is the Collector himself and if it is in his very district, he simply issues a certificate. Or, there is a proclamation whereby all his properties stand attached and the next step is sale. Therefore, what will be the result? Any officer who is a little too conscious of the importance of his own duties—what will he do? He may be the competent authority or a delegate of the competent authority. If a poor man is in arrears in payment of rent—may be by a month or two—the very source from which he derives his income will be dried up by the attachment of those very properties. Therefore, this deserves to be examined with greater scrutiny. I hope

and request that the Select Committee should be able to examine certain loopholes and certain other aspects which, if not correctly or properly amended, will lead to very serious difficulties for the ordinary man.

[SARDAR HUKAM SINGH in the Chair]

**Shri S. S. More:** Now, an attempt is being made to alter the definition which has been given in the Act of 1950. In the original Act of 1950, there was only one definition "(b): Government premises means any premises belonging to or taken on lease or requisitioned by the Central Government". But this definition was replaced by another definition by the Act of 1952—Requisitioning and Acquisition of Immovable Property Act of 1952. The original definition in the Act of 1950 was knocked out and another substituted in its place. A third attempt is being made now to modify the definition.

It will be worthwhile to subject the definition of 1952 to a closer scrutiny to find out whether any third definition is at all necessary. I would take you to the definition of 1952. In the annexure to the Bill, it is given. Here, 'Government premises' have been defined in an elaborate manner so as to include the premises of some other authorities—authorities other than the Central Government. Now, I would request you, for the present, to forget a few sentences of this definition of 1952. Let us read this definition. 'Government premises' means—I go to the disputed part of the definition which is being now sought to be amended—"any land belonging to the Improvement Trust, Delhi, whether such land is in the possession of, or leased out by the Improvement Trust".

Now, the hon. Minister was at pains to convince this House that

word 'land' is not sufficiently comprehensive as to include buildings and therefore, an attempt—I think if I make a misstatement, he will be kind enough to correct me—is being made to widen the definition so that buildings are included. I will now request you to go to the definition of "premises". This definition of premises is given in sub-clause (c). 'Premises' means any building or part of a building and includes the garden, grounds and outhouses, if any, appertaining to such building or part of a building, etc. According to this definition of premises, 'premises' does mean buildings also. Let us scrutinise and subject it to a closer analysis. According to part (b), 'Government premises' means land and premises also. According to part (b), read with part (c) therefore, 'Government premises' does mean not only land in the ordinary connotation of the word 'land' but 'premises' will also mean buildings or part of the buildings. I would say a word here that the quality of our legal drafting has undergone a definite deterioration. The persons who belong to the Legal Department, in spite of the high salaries they draw, do not show the high efficiency which is expected of them and therefore, I would say, all these troubles come in. We are periodically asked to modify our definitions. The result is at the end of about five or six years we do not know where we stand, and then the High Courts or the Supreme Court give a knock on our knuckles saying that the legislation has not been properly worded.

My submission is if we interpret this definition as it is and if we read the first part of this definition (b) along with (a).....

**Pandit Thakur Das Bhargava:** There is a further definition in 1951. Please see that.

**Shri S. S. More:** I thank my friend Pandit Thakur Das Bhargava for bringing this to my notice. I have applied my mind to this Act of 1950,

to the Act of 1952 and to the amending Bill as it is given, and when we are interpreting a complex and complicated definition we are required to spend some brain energy on it. This particular new definition having been brought to my notice now, I must admit that I cannot immediately apply my mind to this and see what the difference is. This only proves one fact, that our Government is very prolific in producing definitions from time to time with the bewildering result we do not know where we stand. My friend Mr. Gurupadaswamy says we are still short of a good definition because we are still short of a good government.

My submission is this definition is there. Let us scrutinise it. If we find that it is comprehensive enough to cover even those cases which are sought to be covered by this amending clause, then our efforts are needless and our legislation will be ineffective or useless and will only entail some expenditure.

With these remarks about the drafting I proceed to the merits of the case. Now an attempt is being made to rope in, under the definition of public premises, the Improvement Trust of Delhi. I would also point out that in Delhi there are certain areas in which the local authority was in existence before 1950, that is before the Improvement Trust came into existence, and lands have been leased out to different persons who mostly come from the poor and the middle classes, and they have put up small or big buildings and are residing in these buildings for decades. What is the main purpose, the main activity of this Improvement Trust? As I understand, this Improvement Trust is out to augment its income and is utilising all these powers as a screw to squeeze out more and more money. There is a memorial presented to Government by the Delhi Middle Class Householders' Association and they have given certain facts and figures. According to this memorial

[Shri S. S. More]

land was originally lent to certain individuals at the rate of two to eight annas per hundred square yard. Now the Delhi Improvement Trust, in spite of the sanctity of contract which Government always fling at the face of private individuals when they agitate for higher rents, this Improvement Trust in certain cases has demanded a rent of Rs. 25 per hundred square yards in place of the rent which was to the tune of two, four or eight annas for that piece of property. Government, and particularly the party in power which is also in power in the different States, is very busy—and we applaud their effort—in putting some ceiling to the grabbing, greedy tendency of the landlords, saying “this should be the final highest limit beyond which no landlord should proceed to increase his rent.”

But is it not necessary that Government, when they own any property, should by their own practice set a model to such greedy landlordism; or, are we to say that all these restrictions, compulsions are to operate only in the case of private landlords and Government which is the largest landlord should be exempted from all these restrictions?

I can give you instances from Poona district. There the Defence Department is out to acquire property for its own expansion and huge acreage of good fertile land has been requisitioned from peasants. And with what result? Are those properties utilised for building up the projected buildings or constructions? No. They are remaining in the form of agricultural land. The persons whose lands have been acquired, the owners of the lands, have been converted into tenants. And they are paid compensation—not proper compensation, but Government's coercive powers have been used—and rich fertile lands have been taken for a song.

When the proprietors are converted into tenants, what happens? Government impose some rent. Not only that. If the rent, the exorbitant rent which is imposed by the competent authority appointed by the Central Government—and this authority, though defined here as ‘competent authority’ might be very incompetent as far as the interests of the public are concerned—they impose high rents and they show the worst tendencies of a greedy landlord and if the poor cultivator, who is displaced from the status of the proprietor to the status of the tenant, is not in a position to pay that high rent, then he is evicted straightway.

And what is the time-limit? According to section 3 fifteen days' notice is enough. The notice will be given by post or otherwise. You know how the wheels of the post move. Possibly in distant places the notices are not received in time. But the limitation will come in. And the appeal provided is not to any local authority or any district judge or any other judicial authority in that particular district; the appeal is to the Central Government, and that too within a period of ten days.

This Bill, though it has been on our statute book for only two years, has been operated in a ruthless manner. I believe the Select Committee will be perfectly right if they take into consideration the sinister operation of this Bill.

I will quote you another instance. At Kurdwari which is one of the railway centres there is a small *mitai gali*. Certain lands owned by Government have been leased out to persons. Eviction notices have been issued—though it is called a *mitai gali* the actions of Government are not as sweet as a *mitai* is supposed to be— notices have been issued.

eviction have been served on the people and by way of penalty and damages two rupees per square foot per annum has been asked to be paid to the Government treasury. In Poona City the prices of plots have gone down and you can have a good plot in a fairly decent locality at Rs. 2 per square foot, and you become the proprietor of the plot for future generations if you can keep it with you. But here in a small town two rupees per square foot per annum has to be paid to Government by way of rent, damages or penalty. If this Government is trying to justify its claim that it is a government of a welfare state, it must be more humble, less greedy than the ordinary landlord whose nefarious activities have to be checked and controlled by the welfare state. It must set an example of moderate claims.

**An Hon. Member:** They are incapable.

**Shri S. S. More:** Of course, my friends are telling me that they are incapable. I do agree with them, but with all that, I must try to urge on their mind, if there is some scope for improvement, that they should set an example to ordinary landlords. So, this is my submission.

As far as the Delhi Improvement Trust is concerned, why should they be placed on a special pedestal, so that all their dues should be recovered as arrears of land revenue? Land revenue is something ancient and these dues. Let them go to the ordinary courts. What harm is there? It is a corporation owning property, and as a necessary part of their owning property, they will have to take some legal steps. But, unfortunately, the ambit of the jurisdiction of the courts is being progressively contracted. Government's claims are beyond the jurisdiction of the courts. Land revenue claims are also beyond the jurisdiction of the courts. And then, on top, the dues of such associations, such corporations, are also taken out of the

jurisdiction of the courts. I wonder for what purpose the courts are to remain. Possibly we will have to amend that part of the Constitution which prescribes a judicial system and say that in this welfare state there is no further necessity for any courts because the competent authorities are competent to deal with judicial claims of whatever sort they might be. This is my submission. I do not want to take (Interruption).

It is a measure which appears to be very small, but its legal or illegal effects, the sinister effects which are likely to emerge from this particular measure are of the gravest dimensions, and therefore, I would say that the Select Committee will be perfectly justified and we expect of the Select Committee that it will take all these aspects into consideration and will not be hoodwinked into the belief that this is a very innocent measure, that they have to change a comma here and a comma there. That is not the case. It is a very serious measure which will affect the lives of many people. My friend Bhargava has narrated in a very pitiful manner the stories of refugees, but it affects not only refugees. It affects other persons who are residents of Delhi. It affects other residents whose lands have been requisitioned. They run the risk of being refugees on their properties if this Government is allowed to go on unrestricted in this way. That is my submission.

**Shri Sadhan Gupta:** (Calcutta South-East): We have been told by the hon. Minister that this particular Bill is apparently a very innocuous thing. The way he introduced it was to say that the Government and the Improvement Trusts did not have certain powers and the Bill was intended to confer such powers on the Government and the Improvement Trusts. What he has not told us is the hidden story behind the deeds of the Delhi Improvement Trusts, the story of the



[Shri Sadhan Gupta]

implications of this Bill—I mean not the legal implications, but the implications in terms of misery, in terms of oppression, in terms of corruption which the Delhi Improvement Trust is going to inflict upon the public of Delhi and has been inflicting upon the public of Delhi, and which it is going to inflict upon the public of Delhi by taking advantage of this Act.

I think by now it is quite clear that the question is not whether some authority, some power has to be given, but the question is whether we are going to allow certain classes of people to be driven out into the streets, to be deprived of their livelihood through what is apparently an innocuous measure.

There was an enquiry committee regarding the Delhi Improvement Trust—an enquiry committee which was constituted by no means with radical members, by no means with members who are communistically inclined or that kind of thing. It was, I believe, presided over by Mr. G. D. Birla, and even that committee has unreservedly condemned the profiteering of the Delhi Improvement Trust. It has condemned the deeds of the Delhi Improvement Trust in such a manner that after that condemnation I would have thought any Government which claims any pretence to democracy would have thought twice before extending the powers of the Delhi Improvement Trust.

A number of instances come to the mind while talking of the Delhi Improvement Trust. There is, for instance, the story of the Ajmeri Gate-Delhi Gate Slum Clearance Scheme, the story of the corruption in the Improvement Trust and various other stories. Let us take the story of the Ajmeri Gate-Delhi Gate Slum Clearance Scheme, because that is a story which is typical of the oppression, of the tyranny which the Improvement Trust perpetrates on the poorer sections of the Delhi population.

**Mr. Chairman:** May I request the hon. Member kindly to keep in mind that it will not be fair to go into the details of those profiteering activities. He can refer to them as a reason for not giving them this extension or privilege under this Act, but we cannot go into details with what they have been doing etc. (*Interruptions*).

**Shri Nambiar (Mayuram):** That is the background.

**Shri Sadhan Gupta:** I do not choose to name individuals, I do not propose to name anyone, but the *modus operandi* of the Improvement Trust is very important because it must influence our decision, it must influence our opinion in deciding whether to grant powers to such a body. Merely saying that it has been profiteering or merely saying that it has not been doing its duty does not carry us far. We have to convince this House and we have to tell them the way in which it has operated, and therefore some details of its *modus operandi* would be, I submit, quite relevant for this purpose.

In this particular case, this scheme originated in 1938. At that time, the signature of the local people was procured on the belief that their area would be cleaned up. Now, everyone wants his area to be cleaned up. No one is in favour of the horrid slum conditions that exist in Delhi or in all other cities in India. So they signed for the scheme. They wanted a scheme. They got it. And now, how did that scheme operate? The slums were cleared, no doubt. People had built their houses in those slum areas. Their houses were acquired and when it came to the payment of compensation, the compensation given them was at the 1938 rate. Now, a person being cleared out of his house in 1947 or 1949 or 1950 being compensated at the 1938 rate when that person is a poor person is a compensation that is hardly adequate. And that is not all. In many cases, it has happened that persons have been in unauthorised occupation of the land, because they

could not possibly move out of that land, because there was no suitable alternative. Now, for this unauthorised occupation they are supposed to pay damages, and it is said that those damages are to be set off against the compensation payable. The result is that they will have probably not a pie, but on the other hand, perhaps, they would have to pay something. Now, that is the justice which the Improvement Trust metes out to the poor residents. We know that those residents are in those areas—vegetable vendors, cobblers and other kinds of hawkers, and mostly people of the very poorest classes or the lower middle classes, who somehow eke out an existence, earn some livelihood, and have somehow gathered perhaps some means to build up a small house. If they are driven out into the streets, deprived of their houses, deprived of their compensation, and on the other hand, expected to pay to the Improvement Trust, that, I can say, is only heartlessness. And we cannot be parties to encourage such heartlessness.

That is not the only aspect. There is the aspect of providing alternative accommodation. What is the alternative accommodation that is being provided? Slums have been cleared, because slums look very ugly in the heart of Delhi, but then they have not been given any better accommodation. They have been pushed miles out of Delhi, to Andha Moghul and other places, and in those places, conditions are even more horrible. In Delhi, slums may be dirty, and there may be other difficulties too, but you at least have water, and you at least have some electricity. But there, there is neither water nor electricity, and there is only the dirt and filth of the slum. You can well imagine what that means, a slum, a filthy slum without adequate water.....

**Sardar Swaran Singh:** I think these details that are being referred to are not at all relevant to the provisions of the Bill, which is the amending Bill. Reference could, perhaps, be made by

a little stretch to the provisions contained in the sections which are sought to be touched, but in regard to this detailed reference to every little aspect of the resettlement scheme, the compensation scheme, and so on, there is a limit up to which we can discuss at the present stage.

**Shrimati Renu Chakravartty:** They are relevant, because you are wanting more powers for the Improvement Trust.

**Mr. Chairman:** I also brought it to the notice of the hon. Member, that he should not go into details as to how they have been working. Of course, reference was necessary, as the hon. Member said himself, because he wanted to convince the Members that it was not safe to give this Improvement Trust these concessions and other powers that are mentioned here. Therefore, he wanted to refer to it. I think reference was necessary, and he could go into it. But even if he had given us a small story about what he has said, I think that would have sufficed. But going into the details as to how they have been acting, how they have been acquiring, how they have been paying compensation, etc. may not be necessary, so far as discussion on this Bill is concerned. This is what I wanted to bring to the notice of the hon. Member, and this is what I want to impress again. Reference has been made now, and the hon. Member may proceed to the other points.

**Shri Sadhan Gupta:** What I was trying to impress was that certain powers are sought to be given to the Delhi Improvement Trust, and we have to see how the Improvement Trust would probably exercise those powers.

**Mr. Chairman:** But then, we cannot go into all the details. Certainly, reference was necessary, and I agree that reference was necessary, and that the hon. Member has made. Now, he may proceed with the other points.

**Shri Sadhan Gupta:** What I was trying to impress was that in the matter of resettlement, in the matter of compensation, in the matter of profiteering, and in the matter of corruption at that, there are stories in the Delhi Improvement Trust. I had only quoted an example, and I submit I have not gone into great details. What I have stated is that in the Ajmeri Gate Slum clearance, they have driven out the people without adequate compensation, sometimes without compensation in reverse, and without accommodation. I have only given those details in order to make it vivid, and in order to impress them on the House.

Let us look at the other aspect, the aspect of providing alternative accommodation. I will only say this much regarding the alternative accommodation. In providing that, it was never considered that poor persons who eke out a livelihood in the heart of Delhi could not be expected to travel all this distance, and still earn an adequate livelihood, or still earn any livelihood at all, because transport in Delhi is expensive, and all that. So, that was not considered.

Then, the other thing is about corruption. It is a thing of general knowledge that the Delhi Improvement Trust is in league with certain land development companies, and that is apparent in more than one way. The Delhi Improvement Trust is giving land to the Government for resettlement of refugees, but invariably, it has been land away from Delhi, and very bad land too. But as far as the housing companies are concerned, they have invariably got the best of lands. The inference is obvious. I need not dilate on it.

There is also the question of profiteering. Land has been obtained, we can say, for a song.

**Sardar Swaran Singh:** I regret to intervene again. So far as the question of land is concerned, no amendment is sought to be made. Only

buildings are sought to be included, and I do not know how all this is relevant. (Interruption). The Delhi Improvement Trust *vis-a-vis* the other housing companies, and its associations, etc, are not at all relevant to the present discussion. In a passing way, if reference is made, I do not seriously object. But if the details of every little thing are gone into, I do not know where we shall land ourselves.

**Mr. Chairman:** I thought it was safer if the hon. Member was allowed to proceed, because he would finish sooner. Otherwise, I am sure that these details are not necessary. I have also brought it to the notice of the hon. Member. Now, that reference has been made. He wanted to make that reference, only to impress upon the House that it was not safe to invest the Improvement Trust with those powers that are in the Bill. Now, he has exactly made that reference, saying that it is not safe to invest them with such powers. I would request him to proceed with the other points.

**Shri Sadhan Gupta:** In regard to land, I would say that land which has so long been obtained at 1938 prices, sometimes for Rs. 10 or Rs. 12 for a square yard, is being sold at Rs. 300 to Rs. 350. Now, we deal with an Improvement Trust, not with a greedy profiteer. And if an Improvement Trust behaves in such a manner, I think there is a case for not granting all these powers to the Improvement Trust.

I shall now conclude my remarks by saying that our demand is very clear and very precise. We do not want any powers to be given to the Improvement Trust. We do not want this Bill to be proceeded with at all, unless alternative accommodation—when I say alternative accommodation, I mean equivalent accommodation, accommodation which is the same in value as that of which the

persons concerned have been deprived, accommodation which has all other conveniences, particularly conveniences as regards eaning their livelihood—is provided to the persons who are to be deprived in the name of Improvement.

2 P.M.

One can quite understand the eagerness of Government for slum clearance in Delhi. Delhi must look more respectable. You cannot just propagate in foreign countries that we are doing this or that to improve the lot of India, and have a slum in Delhi. So, Government, we understand, are very eager to clear the slums in Delhi. But we must warn the Government that if they try to gratify the sense of beauty at the expense of the poor people, if they try to satisfy the quest for beauty by depriving out the local poor people and the hapless refugees into the streets, without payment of compensation, that is not going to be tolerated. Perhaps, they hear today nothing but complaints from the people of Delhi. The people of Delhi are not a boisterous lot but then there is a limit to all tolerance and if they proceed in this way, they should take the warning that it will not be tolerated for ever.

The most criminal aspect, may I say, of this Bill is that although it has been on the anvil of Parliament for such a long time, it was not proceeded with so long, because, I presume, the Delhi Municipal elections were on and if this kind of Bill were proceeded with before the Municipal elections, the Congress, which is the ruling party, would have had no chance. Just after the elections are over, this Bill has come and this is an index of the treachery which has gone into this Bill.

**Shri T. N. Singh:** Sir, I have tried to study this Bill not in the context of the refugee problem but purely on merits. I am told—and, I think, it is correct—that it is not only the refugees who are going to be affected by this amendment but also very old inhabitants of

this city, who have been living at certain places for the last three or four generations.

Now, the question is whether the extension of the scope of the Act that is sought to be made, namely, the authority given to the Delhi Improvement Trust to get its properties, land, buildings etc. treated as if they were public premises so that they shall get all the advantages envisaged in this Bill in the matter of getting those buildings vacated, getting hold of them and developing them is desirable.

Let us see firstly whether the objective would be achieved so far as Improvement Trust is concerned and, secondly, if that is achieved, is it going to serve any useful purpose. My own view is that these local bodies should not be treated on any very different level from the ordinary private citizen. They must take their chance with the ordinary law of the land. I have been a member of an Improvement Trust for a number of years and, I think, during all the period I was there, I saw to it that the ordinary law of the land was made use of. We never went to the Government for any special powers or any special privileges and we were able to get done everything that we wanted. I find no reason why the Delhi Improvement Trust cannot achieve what it wants to achieve under the ordinary law. The Land Acquisition Act is there. They have got a process of law. They can give notice to occupants and owners to vacate the land and then get hold of it after paying reasonable compensation. So, if the purpose is to enable them to get hold of the land, there is the law already and they should take recourse to it. My own impression is that the Improvement Trust has not been doing its bit to solve the problem.

Take, for instance, the areas in Delhi Gate and Ajmeri Gate, which are affected by this measure. The idea of converting them into habitable areas and removing the slums emanated as early as 1938. Sixteen years have elapsed and what have they been doing? There are some buildings, premises and

[Shri T. N. Singh]

land which have been acquired by the Improvement Trust as early as 1938. But they did not make use of them. They even allowed the inhabitants—the then occupants—to continue in the same premises. The result is—and I think all this was done with the connivance of the Improvement Trust—that in the course of these 16 years they have paid in rent alone, to the Improvement Trust, for their own buildings, in which they have made their own investments, as much as or more than the compensation amount. So, since the land was not taken over, all that account is in a fluid state and, today, if a balance is struck, probably, the balance will be in favour of the Improvement Trust. I want to know whether there are such anomalies or not. Let the hon. Minister tell us if there are such cases. If there are, I say, on the basis of the ordinary tests that we may apply to a particular action, it is hard. Because the compensation that was fixed in 1938 was at the prices prevailing then and rents have been gradually going up and have been got at a higher rate. Therefore, they are actually paying for their own property, today, because the Trust did not make use of the acquired property. So, I say it is very hard. At least, it does not look nice to me that any such thing should occur as a result of this amending Bill. That has to be looked into by Government and, I am sure, if our minds are applied to that problem, such anomalies will not arise.

Secondly, there is this question of slum clearance. I would say from experience—because I have worked in an Improvement Trust and I have got my own ideas about it—that if the slum clearance scheme is used in order to benefit certain favoured classes of people and the poorer classes suffer, that will be bad. That is why it is laid down that they must provide alternative accommodation straightaway. Those who are uprooted from those areas must be helped to resettle at some other place. That is the alternative always provided. But, Delhi is a special place. It is a very long and

wide city where one has to travel so many miles. What usually happens is this. Some people have an idea that we should see before our eyes a beautiful city, stately buildings and wide roads so that we should not see any signs of poverty. But, why should we fight shy of poverty? Our land is poor, our people are poor. Let them live and co-exist side by side with the rich. We should, of course, provide the poor with necessary opportunities to keep themselves clean. Let us provide them with better sanitation, lighting and water. Their houses should be hygienically constructed. All that should be there. But the idea of removing people to long distances so that we may not see any such people nearabout fashionable quarters is wrong. That is something that does not appeal to me at all. I would like to resist any such idea of city planning which does not provide for the poor to live side by side with the rich. That is very essential. What I have been hearing about is that they are removed several miles away. I say, that is bad. In our village planning or town planning we must provide for all categories of people carrying various professions, from the lowest to the highest. All of them must have a place in the township. That was our concept. I do not see any reason why we should not stick to that noble concept. I live in New Delhi and I find that if you want a tailor you cannot get one. That is an essential service of society and you are not able to get it. There is no provision for housing tailors, masons, cobblers and all such categories of people. Therefore, you have to go four miles or more from your place to get their services. It is inconvenient both for those who earn their living such as cobblers etc. in the humbler professions, and those who live in high society. It is in the interest of all that they should live side by side with the rich. Therefore, I am very doubtful whether it is desirable to give all this power to the Improvement Trust if it is going to be used merely to segregate one class of people from the other. That will be a

very bad thing to do. The principle of segregation seems to guide us in city planning at present or at least the Delhi Improvement Trust. I cannot understand why it is so. There have been other Trusts also. I was also a member of another Trust. There was no such concept, no such idea of segregation. If that is the concept here, I very humbly submit that it will be better if we close up this organisation and revise our views in this matter completely right now.

Therefore, I want another assurance from the hon. Minister. Assurances were given in the past to which my friend Pandit Thakur Das Bhargava referred; but I want one assurance very clearly, and that is: whether our concept of city planning, clearance of slums etc., in the name of which all these things have been done and this measure has been brought forward, is to give better facilities like roads, lighting, better houses, better sanitation and such like things to all classes of people or not. If it is so, well and good, take powers and proceed with it. But, if the idea is to segregate one class of people from another simply because one is rich and the other is poor, then, I, at least, for one, strongly oppose any such measure. I am sure that the hon. Minister will be able to clear up this point which is troubling some of us.

Secondly, we have also to see that people are not uprooted in such a manner that they lose their living also and become unemployed. Unemployment is already a great problem before us. I am told that in these very slum areas which are expected to be acquired under this amended Law, what will happen is that a number of persons who are cobblers, vegetable vendors, masons and ordinary labourers who find employment for themselves in the cities within about two miles radius of their place of living, will be shunted out some eight or ten miles away. That would definitely aggravate the unemployment problem in Delhi. Therefore, we have to be assured on that point also as to how we are going to tackle this problem of slum clearance? Is it

meant to build palatial houses, mansions and all those things so that some people may have good houses and carry on thriving business earning huge sums of money, or are we going to see that everyone gets an opportunity to earn his living and no further unemployment is created?

There is one other point on which I want to clear my doubts. This Improvement Trust, so far as I know, according to the accepted concept, is more or less a semi-business corporation. They exploit and develop the land, the value of land goes up and thereby they earn incomes which finance improvements. It is, therefore, a self-paying proposition. If that is so, we have to think whether we can put it on a par with a Government undertaking or a State activity for a public purpose. After all, if there is an element of getting back what you are investing, plus interest, plus depreciation and such other business criteria which are adopted in such cases, then I doubt whether we can treat Improvement Trusts on a par with Government or the State. We have got to be very clear about it. If, as I suggested earlier, the Improvement Trust is really trying to clear slums and not segregate people; if it is going to provide for better houses and better employment facilities, then surely you may go ahead with it and I will have no objection.

This is only a small measure and I do not want to take much time of the House. I will only say this before any such amendment is brought, Government should consider all these points very carefully. The Select Committee, I am sure, will go into that question, and if the House is satisfied that the object which we have all in view will be achieved then only we should give these powers to the Delhi Improvement Trust. By no means should we put any extra hardship on our people, especially those who have been living there for generations. They have become attached to these lands and they have, besides their physical and economic problems, a psychological problem also.

**Shri N. B. Chowdhury (Ghatal):** Sir, we have already heard a number of hon. Members and all of them, except one—the hon. Minister—have expressed grave concern over this matter. So, whatever may be said about the innocuousness of this Bill, that it is bound to have grave consequences cannot be doubted. I will begin with a newspaper report. This is a report which appeared 23rd September, 1954 in the *Navbharat Times*. It says:

“प्रधानमंत्री चौधरी बृह्म प्रकाश ने आज राज्य विधान सभा में घोषणा की कि दिल्ली में मकानों की समस्या सुलझाने के लिये शीघ्र ही एक केंद्रीय हाउसिंग आथॉरिटी बनायी जायेगी और इम्प्रूवमेंट ट्रस्ट आदि अन्य संस्थाएँ जो आजकल इस दिशा में कार्य कर रही हैं उन्हें खत्म कर दिया जायेगा।”

This is in connection with a debate in the State Assembly where some members, one Shri Shankerlal Jain and others criticised the Delhi Improvement Trust very severely. With due respect to your observations with regard to the scope of criticism of the Delhi Improvement Trust, I would only remark here that this is the attitude which the responsible Chief Minister of the Delhi State had to take with regard to this body. We have also already heard about the report of the Enquiry Committee presided over by Shri G. D. Birla. If you go through it you will find all sorts of things which have already been referred to by the hon. Member Shri Sadhan Gupta. On the question of slum clearance which is the point at issue and which has necessitated this measure, there it has been clearly stated, I shall quote from the report itself:

“It will be realised that on the side of slum clearance also the record of progress is very meagre.”

In that the question of providing alternative accommodation has also been dealt with. You are also aware that there is some section in the Delhi Improvement Trust Act which says that before evicting any people they

should make provision for alternative accommodation. That such accommodation should be suitable to the persons concerned has also been noted there. But what is done in this Bill here is to give wide powers to such a body which has failed in its duty in the past and now, while the demands have been made to wind it up, we are giving it further powers. What would be the consequences? The consequences would be that the people who had built up the city and who supply the needs of the people are going to be evicted. The Bill itself is entitled as Government Premises (Eviction) Amendment Bill. The title continues to be what it is—Let it be so—but in it, they are going to include “public premises”. The Member who preceded me has pointed out that this, is somewhat anomalous. We are not only giving powers to the Government but we are giving powers to the Improvement Trust itself, to include in its scope of action, the eviction of people from any premises which may be under their control for the time being. These premises have been occupied by the people for so many years and they have built their houses on them. We have heard now they are not being paid their adequate compensation: they have been asked to shift themselves to places where they will be living in worse slums than those in which they have been living so long. This is the position with which we are faced here in connection with the discussion of the Bill.

Now, I would say a few words on the provisions of compensation and rent which have been referred to in the Bill. It has been stated that the Improvement Trust would be empowered to realise the rents and damages and other charges as land revenue. It has been pointed out already that the compensation that was calculated was not calculated on a reasonable basis. It was calculated with reference to the use value of the land and not with reference to the actual market value of the land. Very caustic remarks have been made with regard to this in the report of the Enquiry Committee to

which I have already referred. When things stand in such a position, how can we give wide powers to the Improvement Trust which has already evicted so many people and is now going to evict so many thousands of people. We have, of course, got some figures with regard to the number of people affected but they are not adequate, because we are getting reports from different parts of the city that there are different areas which are affected and are likely to be affected by the activities of the Improvement Trust. And in those areas thousands of people are living for years together, and now, they are going to be evicted. Among these people, there are refugees and small traders and persons who are earning their livelihood by such other means. If they are removed to distant places, then they will lose the means of their livelihood, as they would not be able to come to these distant places. There is no easy means of transport. All these difficulties would be there. So, when we are discussing this Bill, through which we are giving powers to the Improvement Trust, we have to take into account all these factors. It will affect thousands of people it will affect their livelihood. It will affect their living conditions. So, when we discuss such a measure, we have to give every thought to the condition of these thousands of people who had been living in the city for a long time.

I would conclude by saying that while we are trying to build up beautiful cities, we cannot ignore the necessity of enabling the people who had been living in this city to get accommodation in those houses. Why cannot we evolve such a plan through which we can provide accommodation to those people in the houses that would be built up in these places? There can be a plan like that. If we really have the interests of the people in our view, if we really want to build cities for the people and if we engage ourselves in the work of town planning or any sort of planning, for the matter of that, for the sake not of persons who go on profiteering, who go on

speculating on land but for the sake of the people who actually are the persons to be provided with the basic necessities of life and who are the people whom we are to serve, it would be good. With these words, I definitely express my opinion that in the Select Committee there would be the necessity of examining the Bill in the context of the problem which is being faced by so many thousands of people here, now living in the slums of Delhi, and we should modify it in such a way that those people may not suffer and may not be evicted without being paid ample compensation and without being provided with accommodation at a very near-by place, and without being given the guarantee of accommodation in the houses that are to be built in these localities.

**Shri M. S. Gurupadaswamy:** I am glad that this Bill is to be referred to the Select Committee. Any measure which is passed by this House should subserve a human purpose, should subserve the needs of society and that should be the basis for judging whether a measure is good or bad. By going through the Bill, one will see that it wants to provide more teeth and claws to the authorities. It wants to enlarge the ambit of authority. But I do not want to be taken as saying that the idea of giving adequate powers is wrong, but while giving such large powers to the authorities, one must consider whether those powers which have been enjoined on the authorities have been properly exercised or not. If authorities had not exercised the powers that have been given to them already, one has to think whether more extra powers will not be very dangerous. As I said, this Bill gives more teeth and claws to the authorities. It empowers them to ask any man who has got unauthorised construction to vacate that building. When this country was divided, when millions and millions of people were uprooted from West Pakistan, they came in thousands to Delhi. The most difficult problem at that time was lack of accommodation and shelter. But the refugees built houses of their own in



[Shri M. S. Gurupadaswamy] vacant lands in and around Delhi. They largely depended on their own efforts, and their own money. Of course, technically, legally, all these constructions were unauthorised. We are now viewing this problem after a long period. And we seem to forget the sufferings they had undergone at those times. Now we want to arm the authorities with powers to create troubles for those people who have already suffered much. If there are constructions which are not in conformity with required specifications, if there are constructions which are not done properly after taking a license, the only course now is to regularise those constructions. If however, in certain cases the constructions are fundamentally bad that it is inevitable to demolish them, then the proper course is to provide alternative accommodation for those people who are going to be uprooted. So, I consider that it would only be just and fair on our part to include a provision to this effect in the Bill. The provision should be that those constructions which have been made before 1950, or before the present Act, should not be touched: those people who have got their dwellings there should not in any way be disturbed. If, however, there are certain constructions which are very bad which do not fulfil the requirements or specifications laid down by the Improvement Trust, they may be removed. But they can be removed and they must be removed only when alternative accommodation is given to the persons affected. Unless such a proviso is inserted in the Bill, I entertain grave misgivings that this Bill is likely to do more harm than good. So, it is very necessary that a salutary provision to this effect should be incorporated under clause 4; or it may be included in the definition clause itself. That will provide sufficient safeguard for the refugees. If we pass this measure as it is it may create further hurdle, further difficulties, in the way of these people.

**Mr. Chairman:** Is there any specific amendment of that nature?

**Shri M. S. Gurupadaswamy:** There are one or two amendments to that effect tabled by some hon. Members. Now that the Bill is going to the Select Committee, I trust the Committee will consider those amendments and make a proviso under clause 4, or under the definition clause, whichever is suitable, and thereby help the lot of the refugees. I would not for a moment say that Government should not build a city according to a plan. But those structures which have already been built should not be destroyed unnecessarily and people living there should not be put to unnecessary hardships.

With these words, I support the motion for reference of this Bill to Select Committee.

**Sardar Swaran Singh:** Sir, I do not propose to discuss at any great length the points that have been raised in the course of the present debate. As the Bill is going to the Select Committee it is not my intention to reply one by one to the various points that have been raised. I think that things have been said about the working of the Delhi Improvement Trust which are not strictly relevant, except in so far as the short question of extending the scope of the powers of the Improvement Trust is concerned. I want to say only this much, Sir, that the work of clearing slums, of removing unauthorised occupants, or getting clear lands, whether they belong to the Government or a statutory body like the Improvement Trust is not a very pleasant task. And unfortunately, the gravity of making such encroachments upon government land or on public property is not fully appreciated.

The objections that have been raised are not strictly relevant and the Bill now before the House covers only two main points. So far as that part of the amendment which seeks to remove the effect of the Bombay ruling is concerned, from the discussion that has taken place so far, there does not appear to be any serious objection, at least at this stage.

**Shri S. S. More:** What is that Bombay ruling? You did not give us.

**Sardar Swaran Singh:** So far as the other provision relating to six hundred odd premises which are the property of the Improvement Trust are concerned, the debate has been considerably lengthened and points which are not the subject matter of the present measure have been brought into discussion.

The functioning of the Delhi Improvement Trust is under the control of the Delhi State Government and incidentally the Delhi State Government also has come in for a certain amount of criticism. It is not my intention to go into the details of the various charges, because it is not germane to the point which we are discussing. The Delhi Improvement Trust has tried to do its little bit for improving the conditions, whether they are of the slums, or in making out new lay-outs.

**Shrimati Renu Chakravartty:** That is what is challenged.

**Sardar Swaran Singh:** The point for the consideration of the Select Committee is whether the buildings which are owned by the Improvement Trust should also be placed at par with the buildings which are owned by Government so far as the question of eviction and realisation of arrears of rent is concerned.

**Shrimati Renu Chakravartty:** Are we to take it that the Select Committee will not go into the matter as to whether the Delhi Improvement Trust should be given those powers or not?

**Mr. Chairman:** That is a matter for the Select Committee.

**Shrimati Renu Chakravartty:** The House will have to tell the Select Committee whether they can go into that matter or not.

**Mr. Chairman:** The House had already had its say, to which the hon. Minister is now replying.

**Sardar Swaran Singh:** Mr. Chairman, I fail to understand the impatience of the hon. Lady member.

**Shrimati Renu Chakravartty:** Because you are not answering the questions raised.

**Sardar Swaran Singh:** All that I wish to say is that the general working of the Delhi Improvement Trust cannot be the subject matter of either a censure or approbation, except in so far as it is relevant to decide the small question that is before this hon. House.

So far as that question is concerned, it is now going to the Select Committee who will examine all the implications of the new amendment that is sought to be made. I understood from the very lengthy or very elaborate speech made by my hon. friend, Pandit Thakur Das Bhargava, that his intention is to get some more assurances either upon points on which assurances have been made or to cover points which, though not strictly relevant for the present Act, pertain to general questions of policy. So far as the question of acceptance or rejection of these various suggestions is concerned, he himself was thinking aloud and was apparently upset over what he described as the defective working of the Act as it exists today. I only want to remind him that so far as the working of the Act, about which he complained, is concerned, that relates to the portions about which already the power is there. We had sought to remove all those encroachments which were put up by taking action by way of eviction or pulling down of unauthorised structures. That is already covered under the definition of land. So far as the present provision is concerned, this is confined only to a comparatively small portion of the entire Trust property which today vests in the Improvement Trust.

I do not want to suggest, even by implication, that the stand of the Government is that they do not want to honour whatever assurances have been given. It was not the intention of anybody not to honour those assurances and my hon. friend was good enough himself to admit that the administration, so far as the refugees were concerned,

[Sardar Swaran Singh]

being the concern of the Delhi State Government, this thing was pointed out to them and they had undertaken to implement those assurances. The sum total of the criticism was that in the implementation of that policy, those assurances were not actually given effect to. That, Sir, is a matter of detail about which it is very difficult to say one way or the other without going into details of each particular case. The stand of the Delhi Improvement Trust and the Delhi State Government has been that the structures were not only unauthorised but were also of such a character that their continuance would not have been in the larger public interest. There may be differences of opinion with regard to that approach. Again, the assurance was that such of the unauthorised structures which could reasonably fit in with any scheme of the Improvement Trust, would be permitted to stand where they were and that the Improvement Trust should also be prepared to make some minor modifications to ensure that no undue hardship is caused to the persons who are in possession of those unauthorised structures. The case of the Trust with regard to the various structures which were removed or from which unauthorised occupants were evicted has been that conditions in the vicinity have been unsatisfactory in the matter of sewage, in the matter of sanitary conditions, etc. and the structures were put up in such great hurry and in such haphazard manner that in the larger public interest it was necessary to get them cleared after providing suitable alternative accommodation...

**Pandit Thakur Das Bhargava:** I do not want to interfere. But may I humbly enquire if this question of the large public interest of the city or the nation is a part of the assurances given? Does it not run counter to the assurances which have been given. We have confined ourselves to the four corners of the assurances; this interpretation goes much beyond the assurances.

**Sardar Swaran Singh:** I have got no intention to enter into a controversy with my hon. friend at this stage on this point but it is quite obvious that the larger public interests can never be ignored. I have not gone into minute details of the various assurances but whatever assurances are given it is reasonable to presume that they are always subject to the larger public interest. To say that those assurances should be implemented even if they are counter to the general public interest will be a proposition which it will not be easy for any government to accept. Anyhow, it is not the real point which is at issue at the present stage...

**Mr. Chairman:** Is it not amazing that none of these structures could fit in with the plan of the Trust while on the spot these assurances were given that those who fitted in will be allowed to stay?

**Sardar Swaran Singh:** I do not think the eviction has been as categorical or as wholesale as has been tried to be made out here. There are certain number of structures which have been permitted to stay on with certain minor modifications and in certain cases by the provision of certain additional amenities. These are points which can be gone into and examined as a separate administrative action—not so much as the present concern...

**Pandit Thakur Das Bhargava:** Has any compensation been given to any persons whose structures had been demolished?

**Sardar Swaran Singh:** I presume that, if any compensation was due to anyone under the rules or under the provisions, it must have been given. But this is a specific point that has been raised about which information could perhaps be collected. But I again reiterate the stand that I take. So far as the structures owned by the Improvement Trust are concerned, it is too much to say that it should not be

permitted to enforce the eviction of people who might be in unauthorised occupation of buildings belonging to the Improvement Trust. That is the point for which I am moving this amendment of the main statute. So far as the number of points that have been raised with regard to the hardships that are being caused to the refugees or to the poor residents, I need hardly assure the hon. Members that the intention of the Government has always been to help the refugees and other residents who might be evicted by any such schemes to the maximum possible extent.

A reference had been made to slum clearance. So far as the general question of slum clearance is concerned, that is not under discussion at the moment. So far as legislation or contemplated legislation for slum clearance is concerned, all these points that are now being raised, that this or that should be the consideration for paying compensation, for re-housing the persons who may be displaced or dislocated, are points which can be taken into consideration.

With these few words I accept the motion made by my hon. friend Pandit Bhargava, with a small addition of three names which I hope he will accept. They appear to have been dropped by accident. They are: Shri Harekrushna Mahtab, Shri A. P. Sinha and Shri Raghuramaiah. I hope that the Mover of the motion for reference of this Bill to the Select Committee will be good enough to accept the inclusion of these three names.

**Pandit Thakur Das Bhargava:** Certainly, Sir; they are quite acceptable.

**Mr. Chairman:** I shall put this motion to the House. It has been moved by Pandit Thakur Das Bhargava.

The question is:

"That the Bill be referred to a Select Committee consisting of

Shrimati Subhadra Joshi, Shri Radha Raman, Shri C. Krishnan Nair, Sardar Hukam Singh, Shri Choithram Partabrai Gidwani, Lala Achint Ram, Sardar Swaran Singh, Shri Manaklal Maganlal Gandhi, Rajkumari Amrit Kaur, Shri Girraj Saran Singh, Shrimati Renu Chakravartty, Shri K. S. Raghavachari, Shri Rohini Kumar Chaudhuri, Shri K. Ananda Nambiar, Col. B. H. Zaidi, Shri Hari Vinayak Pataskar, Shri Harekrushna Mahtab, Shri Kotha Raghuramaiah, Shri Awadheshwar Prasad Sinha and the Mover with instructions to report by the 5th December, 1954."

*The motion was adopted.*

CODE OF CRIMINAL PROCEDURE  
(AMENDMENT) BILL

**The Minister of Home Affairs and States (Dr. Katju):** I beg to move:

"That the Bill further to amend the Code of Criminal Procedure, 1898, as reported by the Joint Committee, be taken into consideration."

The House has in its possession the Report of the Joint Committee and I do hope that it will not be frightened by the large number of Minutes of Dissent. Many hon. Members have emphasized the same point and many others have expressed general opinions.

This Bill has been the result of very long labours. I emphasize this point because there is a motion for its reference back to the Joint Select Committee—I do not know for what purpose. Hon. Members probably have had circulated to them opinions which have been expressed upon this particular topic during the last three or four years. I say all this to remove any misapprehension that Parliament has been proceeding, or Government